

State of Iowa

**JOURNAL
OF THE HOUSE**

**2018
REGULAR SESSION
EIGHTY-SEVENTH
GENERAL ASSEMBLY**

**Convened – January 8, 2018
Adjourned – May 5, 2018**

**KIM REYNOLDS, Governor
LINDA L. UPMEYER, Speaker of the House
JACK WHITVER, President of the Senate
(1/9/2017 – 3/15/2018)
CHARLES SCHNEIDER, President of the Senate
(3/15/2018 – present)**

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STATE OF IOWA
Des Moines*

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OFFICERS OF THE HOUSE

EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 Regular Session

UPMEYER, LINDA L.....*Speaker of the House*
WINDSCHITL, MATT W.....*Speaker Pro Tempore*
HAGENOW, CHRIS *Majority Leader*
NUNN, ZACH *Majority Whip*
JONES, MEGAN..... *Assistant Majority Leader*
KLEIN, JARAD J..... *Assistant Majority Leader*
SEXTON, MIKE.....*Assistant Majority Leader*
WILLS, JOHN H..... *Assistant Majority Leader*
SMITH, MARK..... *Minority Leader*
BEARINGER, BRUCE..... *Assistant Minority Leader*
BENNETT, LIZ..... *Assistant Minority Leader*
MEYER, BRIAN..... *Assistant Minority Leader*
MILLER, HELEN *Assistant Minority Leader*
BOAL, CARMINE..... *Chief Clerk*

ADAMS, MARK *Doorkeeper*
BALDERSON, STEVE..... *Sergeant-at-Arms I*
BEALL, ASHLEY *Republican Caucus Staff - Secretary*
BENNETT, ROBIN..... *Administrative Services Officer II – Journal*
BRONSINK, KELLY *Senior Finance Officer III*
BROWN, CLYDE *Doorkeeper*
BURROWS, MARY ANN..... *Switchboard Operator*
CHAPMAN, JASON *Republican Caucus Staff - Senior Research Analyst*
DOLAN, MOLLY *Administrative Services Officer II*
EARLE, JOE *Administrative Assistant to Majority Leader*
EPLEY, DAVID..... *Democratic Caucus Staff - Senior Research Analyst*

FIIHR, DEAN	<i>Senior Administrative Assistant to Minority Leader II</i>
FLANNERY, JESSICA	<i>Democratic Caucus Staff - Secretary</i>
FREELAND, BILL	<i>Democratic Caucus Staff - Senior Research Analyst</i>
FREEMAN, DOREEN RENO.....	<i>Senior Admin. Services Officer – Assist. Legal Counsel</i>
FRIEDRICHSEN, JAKE	<i>Senior Administrative Assistant to Minority Leader I</i>
GENTZ, BENJAMIN	<i>Republican Caucus Staff - Research Analyst</i>
GILDE, JOE	<i>Democratic Caucus Staff - Research Analyst II</i>
GINTY, NATALIE	<i>Republican Caucus Staff - Research Analyst</i>
GIESELMAN, WAYNE	<i>Assistant Sergeant-At-Arms</i>
GRONEWALD, MATT	<i>Senior Administrative Assistant to Majority Leader I</i>
GUILLAUME, BRIAN	<i>Democratic Caucus Staff - Research Analyst I</i>
HYATT, ANNA	<i>Democratic Caucus Staff - Senior Deputy Director</i>
JENNINGS, SUE	<i>Senior Administrative Services Officer – Journal</i>
KIOUS, KRISTI	<i>Republican Caucus Staff - Research Analyst III</i>
MAURO, FRANK	<i>Doorkeeper</i>
MITCHELL, JEFFREY	<i>Republican Caucus Staff - Senior Director</i>
MURRAY, LOGAN	<i>Republican Caucus Staff - Research Analyst</i>
NELSON, MEGHAN	<i>Assistant Chief Clerk III</i>
OLSON, LEWIS	<i>Republican Caucus Staff - Senior Research Analyst</i>
PHILLIPS, TONY	<i>Senior Administrative Assistant to Speaker II</i>
PIERCE, PHYLLIS	<i>Finance Officer I</i>
ROMANO, JOE	<i>Democratic Caucus Staff - Senior Director</i>
ROSS, RANDY	<i>Postmaster</i>
SIMMS, HELEN	<i>Administrative Services Officer</i>
SKEFFINGTON, JOAN	<i>Bill Clerk</i>
SMITH, GEORGEANN	<i>Doorkeeper</i>
STEINKE, TERRI	<i>Confidential Secretary to Speaker</i>
TADLOCK, COLIN	<i>Admin. Assistant I to Speaker / Communications Director</i>
THIEN, KELSEY	<i>Democratic Caucus Staff - Research Analyst</i>
THOMAS, RACHELLE	<i>Democratic Caucus Staff - Senior Research Analyst</i>

THRASHER, ALVIN.....	<i>Chief Doorkeeper</i>
TROW, BRADLEY.....	<i>Republican Caucus Staff - Senior Deputy Director</i>
VANDERPLOEG, SARAH.....	<i>Supervisor of Secretaries II</i>
VER SCHUER, ALISON.....	<i>Democratic Caucus Staff - Legislative Research Analyst I</i>
WALSH, DENNIS.....	<i>Doorkeeper</i>
WENTZ, KRIS.....	<i>Senior Administrative Services Officer – Indexing</i>
WILLE, AMANDA.....	<i>Republican Caucus Staff - Research Analyst II</i>

JOINT EMPLOYEES OF THE HOUSE AND SENATE

MURPHY, KATE.....	<i>Human Resources Director</i>
WILLEMSSEN, MARK L.....	<i>Senior Facilities Manager</i>
BUNKERS, ZACHARY L.....	<i>Facilities Manager I</i>
McBRIDE, MAC.....	<i>Conservation/Restoration Specialist II</i>
FERGUSON, SHAWNA S.....	<i>Security Coordinator II</i>
BACUS, KATHLEEN.....	<i>Security Officer I</i>
ELLIOTT, JODY.....	<i>Security Officer I</i>
EYBERG, JAMES.....	<i>Security Officer I</i>
GARRISON, DAVID.....	<i>Security Officer II</i>
HENDERSON, CURTIS.....	<i>Security Officer I</i>
KNAPP, TIMOTHY.....	<i>Security Officer I</i>
MARCHANT, RANDY.....	<i>Security Officer I</i>
McCURDY, JR., GERALD.....	<i>Security Officer I</i>
PETTENGILL, DAVID.....	<i>Security Officer I</i>
SCHNELL, KERT.....	<i>Security Officer I</i>
SCOTT, CURTIS.....	<i>Security Officer I</i>
SKEFFINGTON, LEO.....	<i>Security Officer I</i>
TAYLOR, RICHARD.....	<i>Security Officer I</i>
GARDINER, BRANDIE.....	<i>Copy Center Operator</i>

ELECTED STATE OFFICIALS

Official Address: Des Moines, Iowa

KIM REYNOLDS, <i>Governor</i>	Des Moines
ADAM GREGG, <i>Lieutenant Governor</i>	Johnston
PAUL D. PATE, <i>Secretary of State</i>	Cedar Rapids
MARY MOSIMAN, <i>Auditor of State</i>	Ames
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Waukee
BILL NORTHEY, <i>Secretary of Agriculture (Resigned March 5, 2018)</i>	Spirit Lake
MIKE NAIG, <i>Secretary of Agriculture (March 5, 2018 to present)</i>	Urbandale
TOM MILLER, <i>Attorney General</i>	Des Moines

JUSTICES OF THE IOWA SUPREME COURT

MARK S. CADY, <i>Chief Justice</i>	Fort Dodge
BRENT R. APPEL, <i>Justice</i>	Ackworth
DARYL L. HECHT, <i>Justice</i>	Sloan
EDWARD M. MANSFIELD, <i>Justice</i>	Des Moines
THOMAS D. WATERMAN, <i>Justice</i>	Pleasant Valley
DAVID S. WIGGINS, <i>Justice</i>	West Des Moines
BRUCE B. ZAGER, <i>Justice</i>	Waterloo

JUDGES OF THE IOWA COURT OF APPEALS

DAVID R. DANILSON, <i>Chief Judge</i>	Pleasant Hill
THOMAS N. BOWER, <i>Judge</i>	Cedar Falls
RICHARD H. DOYLE, <i>Judge</i>	Des Moines
CHRISTOPHER L. McDONALD, <i>Judge</i>	Des Moines
MICHAEL R. MULLINS, <i>Judge</i>	Washington
GAYLE NELSON VOGEL, <i>Judge</i>	Spirit Lake
AMANDA POTTERFIELD, <i>Judge</i>	Tiffin
MARY E. TABOR, <i>Judge</i>	Des Moines
ANURADHA VAITHESWARAN, <i>Judge</i>	Des Moines

MEMBERS OF THE HOUSE

EIGHTY-SEVENTH GENERAL ASSEMBLY 2018 Regular Session

(Italicized county indicates the county of residence.)

ABDUL-SAMAD, AKO (D)

Residence.....Des Moines
Occupation CEO-Creative Visions
Legislative Service.....2007-2018
Representative District 35-*Polk*

ANDERSON, MARTI (D)

Residence.....Des Moines
Occupation Social Worker
Legislative Service.....2013-2018
Representative District 36-*Polk*

BACON, ROB (R)

Residence.....Slater
Occupation Retired Funeral Director
Legislative Service..... Senate 2011-2012; House 2013-2018
Representative District 48-Boone, Hamilton, *Story*, Webster

BALTIMORE, CHIP (R)

Residence.....Boone
Occupation Attorney/General Counsel
Legislative Service.....2011-2018
Representative District 47-*Boone*, Greene

BAUDLER, CLEL (R)

Residence.....Greenfield
Occupation Retired State Trooper/Farmer
Legislative Service.....1999-2018
Representative District 20-*Adair*, Cass, Dallas, Guthrie

BAXTER, TERRY C. (R)

Residence.....Garner
Occupation
Legislative Service.....2015-2018
Representative District 8-*Hancock*, Kossuth, Wright

BEARINGER, BRUCE (D)

Residence.....Oelwein
Occupation
Legislative Service.....2013-2018
Representative District 64-Buchanan, *Fayette*

BENNETT, LIZ (D)

Residence.....Cedar Rapids
Occupation Internet Sales/Support Consultant
Legislative Service.....2015-2018
Representative District 65-*Linn*

BERGAN, MICHAEL (R)

Residence.....Dorchester
Occupation Accountant
Legislative Service.....2017-2018
Representative District 55-Clayton, *Fayette*, *Winneshiek*

BEST, BRIAN (R)

Residence..... Glidden
Occupation Respiratory Therapist/President of Western Iowa Sleep
Legislative Service..... 2015-2018
Representative District 12-Audubon, *Carroll*, Crawford

BLOOMINGDALE, JANE (R)

Residence..... Northwood
Occupation
Legislative Service..... 2017-2018
Representative District 51-Howard, Mitchell, Winneshiek, *Worth*

BOSSMAN, JACOB (R)

Residence..... Sioux City
Occupation
Legislative Service..... *2018
Representative District 6-*Woodbury*
*Elected in Special Election January 16, 2018

BRECKENRIDGE, WES (D)

Residence..... Newton
Occupation
Legislative Service..... 2017-2018
Representative District 29-*Jasper*

BROWN-POWERS, TIMI (D)

Residence..... Waterloo
Occupation Med Fit Facilitator for persons with physical and mental disabilities
Legislative Service..... 2015-2018
Representative District 61-*Black Hawk*

CARLSON, GARY (R)

Residence..... Muscatine
Occupation Vice President-HNI Corporation
Legislative Service..... 2015-2018
Representative District 91-*Muscatine*

COHOON, DENNIS M. (D)

Residence..... Burlington
Occupation Retired Special Education Teacher
Legislative Service..... 1987-2018
Representative District 87-*Des Moines*

COWNIE, PETER (R)

Residence..... West Des Moines
Occupation Executive Director - Blue Ribbon Foundation
Legislative Service..... 2009-2018
Representative District 42-*Polk*, Warren

DEYOE, DAVE (R)

Residence..... Nevada
Occupation Farmer
Legislative Service..... 2007-2018
Representative District 49-Hardin, *Story*

DOLECHECK, CECIL (R)

Residence..... Mount Ayr
Occupation Retired Farmer
Legislative Service..... 1997-2018
Representative District 24-Montgomery, Page, *Ringgold*, Taylor

FINKENAUER, ABBY (D)

Residence..... Dubuque
Occupation
Legislative Service..... 2015-2018
Representative District 99-*Dubuque*

FISHER, DEAN (R)

Residence.....Montour
 Occupation Retired Farmer/Engineer
 Legislative Service.....2013-2018
 Representative District72-Black Hawk, Marshall, *Tama*

FORBES, JOHN (D)

Residence.....Urbandale
 Occupation Pharmacist
 Legislative Service.....2013-2018
 Representative District 40-*Polk*

FRY, JOEL (R)

Residence.....Osceola
 OccupationTherapist/Educator/Consultant/Speaker
 Legislative Service.....2011-2018
 Representative District27-*Clarke*, Decatur, Lucas, Wayne

GAINES, RUTH ANN (D)

Residence.....Des Moines
 OccupationTeacher
 Legislative Service.....2011-2018
 Representative District32-*Polk*

GASKILL, MARY (D)

Residence.....Ottumwa
 Occupation Retired County Auditor
 Legislative Service.....2003-2018
 Representative District81-*Wapello*

GASSMAN, TEDD (R)

Residence.....Scarville
 Occupation Insurance Sales/Farmer
 Legislative Service.....2013-2018
 Representative District7-*Emmet*, Kossuth, *Winnebago*

GRASSLEY, PAT (R)

Residence.....New Hartford
 Occupation Farmer
 Legislative Service.....2007-2018
 Representative District50-*Butler*, Grundy, Hardin

GUSTAFSON, STAN (R)

Residence.....Cumming
 Occupation Retired Marine/Retired Attorney
 Legislative Service.....*2014-2018
 Representative District25-*Madison*, Warren

*Elected in Special Election January 7, 2014

HAGENOW, CHRIS (R)

Residence.....Windsor Heights
 Occupation Attorney
 Legislative Service.....2009-2018
 Representative District43-*Polk*

HAGER, KRISTI (R)

Residence.....Waukon
 Occupation Nurse/campground owner
 Legislative Service.....2017-2018
 Representative District56-*Allamakee*, Clayton

HALL, CHRIS (D)

Residence.....Sioux City
 Occupation
 Legislative Service.....2011-2018
 Representative District13-*Woodbury*

HANUSA, MARY ANN (R)

Residence..... Council Bluffs
Occupation
Legislative Service..... 2011-2018
Representative District 16-*Pottawattamie*

HEARTSILL, GREG (R)

Residence..... Chariton
Occupation Fence Contractor
Legislative Service..... 2013-2018
Representative District 28-*Jasper, Lucas, Marion*

HEATON, DAVID E. (R)

Residence..... Mount Pleasant
Occupation Retired Restaurateur
Legislative Service..... 1995-2018
Representative District 84-*Henry, Jefferson, Lee, Washington*

HEDDENS, LISA (D)

Residence..... Ames
Occupation
Legislative Service..... 2003-2018
Representative District 46-*Story*

HEIN, LEE (R)

Residence..... Monticello
Occupation Business Owner
Legislative Service..... 2011-2018
Representative District 96-*Delaware, Jones*

HIGHFILL, JAKE (R)

Residence..... Johnston
Occupation Commercial Real Estate
Legislative Service..... 2013-2018
Representative District 39-*Polk*

HINSON, ASHLEY (R)

Residence..... Marion
Occupation
Legislative Service..... 2017-2018
Representative District 67-*Linn*

HOLT, STEVEN (R)

Residence..... Denison
Occupation
Legislative Service..... 2015-2018
Representative District 18-*Crawford, Harrison, Shelby*

HOLZ, CHUCK (R)

Residence..... Le Mars
Occupation Veterinarian
Legislative Service..... *2015-2018
Representative District 5-*Plymouth, Woodbury*

*Elected in Special Election November 3, 2015

HUNTER, BRUCE L. (D)

Residence..... Des Moines
Occupation
Legislative Service..... *2003-2018
Representative District 34-*Polk*

*Elected in Special Election February 11, 2003

HUSEMAN, DANIEL A. (R)

Residence..... Aurelia
 Occupation Farmer
 Legislative Service..... 1995-2018
 Representative District 3-*Cherokee, O'Brien, Plymouth, Sioux*

ISENHART, CHARLES (D)

Residence..... Dubuque
 Occupation President-Common Good Services/Sports Official
 Legislative Service..... 2009-2018
 Representative District 100-*Dubuque*

JACOBSEN, JON A. (R)

Residence..... Council Bluffs
 Occupation Senior Trust Officer/VP/Attorney
 Legislative Service..... *2017-2018
 Representative District 22-*Pottawattamie*
 *Elected in Special Election June 27, 2017

JACOBY, DAVE (D)

Residence..... Coralville
 Occupation STEM Outreach Coordinator
 Legislative Service..... *2003-2018
 Representative District 74-*Johnson*
 *Elected in Special Election August 26, 2003

JONES, MEGAN (R)

Residence..... Sioux Rapids
 Occupation Attorney
 Legislative Service..... 2013-2018
 Representative District 2-*Clay, Dickinson, Palo Alto*

KACENA, TIMOTHY (D)

Residence..... Sioux City
 Occupation
 Legislative Service..... 2017-2018
 Representative District 14-*Woodbury*

KAUFMANN, BOBBY (R)

Residence..... Wilton
 Occupation Grain and Livestock Farmer/Small Business Owner
 Legislative Service..... 2013-2018
 Representative District 73-*Cedar, Johnson, Muscatine*

KEARNS, JERRY A. (D)

Residence..... Keokuk
 Occupation Retired Staff Representative-United Steelworkers Union
 Legislative Service..... 2009-2018
 Representative District 83-*Lee*

KERR, DAVID (R)

Residence..... Morning Sun
 Occupation Farming/Retired-Kinder Morgan Inc.
 Legislative Service..... 2017-2018
 Representative District 88-*Des Moines, Louisa, Muscatine*

KLEIN, JARAD J. (R)

Residence..... Keota
 Occupation Family Farmer
 Legislative Service..... 2011-2018
 Representative District 78-*Keokuk, Washington*

KOESTER, KEVIN (R)

Residence..... Ankeny
 Occupation Director-Ankeny Service Center/Retired School Administrator
 Legislative Service..... 2009-2018
 Representative District 38-*Polk*

MEMBERS OF THE HOUSE

KRESSIG, BOB (D)

Residence..... Cedar Falls
Occupation Retired-John Deere
Legislative Service..... 2005-2018
Representative District 59-Black Hawk

KURTH, MONICA (D)

Residence..... Davenport
Occupation
Legislative Service..... *2017-2018
Representative District 89-Scott
*Elected in Special Election January 31, 2017

LANDON, JOHN (R)

Residence..... Ankeny
Occupation Retired-Ag Business
Legislative Service..... 2013-2018
Representative District 37-Polk

LENSING, VICKI S. (D)

Residence..... Iowa City
Occupation Funeral Home Owner
Legislative Service..... 2001-2018
Representative District 85-Johnson

LUNDGREN, SHANNON (R)

Residence..... Peosta
Occupation Small Business Owner
Legislative Service..... 2017-2018
Representative District 57-Dubuque

MASCHER, MARY (D)

Residence..... Iowa City
Occupation Retired Teacher
Legislative Service..... 1995-2018
Representative District 86-Johnson

MAXWELL, DAVE (R)

Residence..... Gibson
Occupation Drainage Contractor/Farmer
Legislative Service..... 2013-2018
Representative District 76-Iowa, Poweshiek

McCONKEY, CHARLIE (D)

Residence..... Council Bluffs
Occupation Retired Steelworker
Legislative Service..... 2015-2018
Representative District 15-Pottawattamie

McKEAN, ANDY (R)

Residence..... Anamosa
Occupation Retired Attorney
Legislative Service..... Senate 1993-2002; House 1979-1992, 2017-2018
Representative District 58-Dubuque, Jackson, Jones

MEYER, BRIAN (D)

Residence..... Des Moines
Occupation Attorney
Legislative Service..... *2013-2018
Representative District 33-Polk
*Elected in Special Election October 22, 2013

MILLER, HELEN (D)

Residence..... Fort Dodge
Occupation Attorney
Legislative Service..... 2003-2018
Representative District 9-Webster

MILLER, PHIL (D)

Residence..... Fairfield
 Occupation Veterinarian-large and small animal
 Legislative Service.....*2017-2018
 Representative District 82-Davis, *Jefferson*, Van Buren
 *Elected in Special Election August 8, 2017

MOHR, GARY (R)

Residence..... Bettendorf
 Occupation Retired Higher Education Administrator
 Legislative Service..... 2017-2018
 Representative District 94-*Scott*

MOMMSEN, NORLIN (R)

Residence..... DeWitt
 Occupation Farmer
 Legislative Service..... 2015-2018
 Representative District 97-*Clinton*, Scott

MOORE, TOM (R)

Residence..... Griswold
 Occupation
 Legislative Service.....*2015-2018
 Representative District 21-Adams, *Cass*, Pottawattamie, Union
 *Elected in Special Election December 8, 2015

NIELSEN, AMY (D)

Residence..... North Liberty
 Occupation
 Legislative Service..... 2017-2018
 Representative District 77-*Johnson*

NUNN, ZACH (R)

Residence..... Bondurant
 Occupation Military Officer
 Legislative Service..... 2015-2018
 Representative District 30-*Polk*

OLDSON, JO (D)

Residence..... Des Moines
 Occupation
 Legislative Service..... 2003-2018
 Representative District 41-*Polk*

OLSON, RICK (D)

Residence..... Des Moines
 Occupation Attorney
 Legislative Service..... 2005-2018
 Representative District 31-*Polk*

OURTH, SCOTT (D)

Residence..... Ackworth
 Occupation Public Affairs Executive/Heavy Equipment Operator
 Legislative Service..... 2013-2018
 Representative District 26-*Warren*

PAUSTIAN, ROSS (R)

Residence..... Walcott
 Occupation Farmer
 Legislative Service..... 2011-2012, 2015-2018
 Representative District 92-*Scott*

PETTENGILL, DAWN E. (R)

Residence..... Mount Auburn
 Occupation Legislator
 Legislative Service..... 2005-2018
 Representative District 75-*Benton*, Iowa

PRICHARD, TODD (D)

Residence..... Charles City
 Occupation Attorney
 Legislative Service.....*2013-2018
 Representative District 52-Cerro Gordo, Chickasaw, *Floyd*
 *Elected in Special Election January 22, 2013

RIZER, KEN (R)

Residence..... Marion
 Occupation
 Legislative Service..... 2015-2018
 Representative District 68-*Linn*

ROGERS, WALT (R)

Residence..... Cedar Falls
 Occupation
 Legislative Service..... 2011-2018
 Representative District 60-*Black Hawk*

RUNNING-MARQUARDT, KIRSTEN (D)

Residence..... Cedar Rapids
 Occupation
 Legislative Service.....*2009-2018
 Representative District 69-*Linn*
 *Elected in Special Election November 24, 2009

SALMON, SANDY (R)

Residence..... Janesville
 Occupation Retired Home Educator
 Legislative Service..... 2013-2018
 Representative District 63-*Black Hawk*, Bremer

SEXTON, MIKE (R)

Residence..... Rockwell City
 Occupation Environmental Consultant/Farmer/Entrepreneur
 Legislative Service..... 2015-2018
 Representative District 10-*Calhoun*, Humboldt, Pocahontas, Webster

SHEETS, LARRY (R)

Residence..... Moulton
 Occupation
 Legislative Service..... 2013-2018
 Representative District 80-*Appanoose*, Mahaska, Monroe, Wapello

SIECK, DAVID (R)

Residence..... Glenwood
 Occupation Farmer/Real Estate
 Legislative Service.....*2015-2018
 Representative District 23-Fremont, *Mills*, Montgomery
 *Elected in Special Election February 10, 2015

SMITH, MARK (D)

Residence..... Marshalltown
 Occupation Licensed Independent Social Worker
 Legislative Service..... 2001-2018
 Representative District 71-*Marshall*

SMITH, RAS (D)

Residence..... Waterloo
 Occupation
 Legislative Service..... 2017-2018
 Representative District 62-*Black Hawk*

STAED, ART (D)

Residence..... Cedar Rapids
 Occupation
 Legislative Service..... 2007-2008, 2013-2018
 Representative District 66-*Linn*

STECKMAN, SHARON S. (D)

Residence..... Mason City
 Occupation Retired Educator
 Legislative Service..... 2009-2018
 Representative District 53-*Cerro Gordo*

TAYLOR, ROB (R)

Residence..... West Des Moines
 Occupation Small Business Owner/Consultant/Educator/Distiller
 Legislative Service..... 2013-2018
 Representative District 44-*Dallas*

TAYLOR, TODD E. (D)

Residence..... Cedar Rapids
 Occupation AFSCME Representative
 Legislative Service..... *1995-2018
 Representative District 70-*Linn*
 *Elected in Special Election June 27, 1995

THEDE, PHYLLIS (D)

Residence..... Bettendorf
 Occupation
 Legislative Service..... 2009-2018
 Representative District 93-*Scott*

UPMEYER, LINDA L. (R)

Residence..... Clear Lake
 Occupation Nurse Practitioner
 Legislative Service..... 2003-2018
 Representative District 54-*Butler, Cerro Gordo, Franklin*

VANDER LINDEN, GUY (R)

Residence..... Oskaloosa
 Occupation Retired Marine
 Legislative Service..... 2011-2018
 Representative District 79-*Mahaska, Marion*

WATTS, RALPH C. (R)

Residence..... Adel
 Occupation Retired Engineer
 Legislative Service..... 2003-2018
 Representative District 19-*Dallas, Polk*

WESSEL-KROESCHELL, BETH (D)

Residence..... Ames
 Occupation Legislator
 Legislative Service..... 2005-2018
 Representative District 45-*Story*

WHEELER, SKYLER (R)

Residence..... Orange City
 Occupation Manager-Anytime Fitness/Direct Support Professional-Hope Haven
 Legislative Service..... 2017-2018
 Representative District 4-*Sioux*

WILLS, JOHN H. (R)

Residence..... Spirit Lake
 Occupation Environmental Coordinator
 Legislative Service..... 2015-2018
 Representative District 1-*Dickinson, Lyon, Osceola*

MEMBERS OF THE HOUSE

WINCKLER, CINDY (D)

Residence..... Davenport
Occupation Retired Educator
Legislative Service.....2001-2018
Representative District 90-*Scott*

WINDSCHITL, MATT W. (R)

Residence.....Missouri Valley
Occupation Gunsmith/Conductor-Union Pacific Railroad
Legislative Service.....2007-2018
Representative District 17-*Harrison, Ida, Monona, Woodbury*

WOLFE, MARY LYNN (D)

Residence..... Clinton
Occupation Attorney
Legislative Service.....2011-2018
Representative District 98-*Clinton*

WORTHAN, GARY (R)

Residence..... Storm Lake
Occupation Farmer
Legislative Service.....*2007-2018
Representative District 11-*Buena Vista, Sac*
*Elected in Special Election December 12, 2006

ZUMBACH, LOUIE (R)

Residence.....Coggon
Occupation
Legislative Service.....2017-2018
Representative District 95-*Buchanan, Linn*

JOURNAL OF THE HOUSE

First Calendar Day - First Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 8, 2018

The House met pursuant to adjournment at 10:02 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Dr. Pat Hall, Pastor of Zion Lutheran Church, Clear Lake. He was the guest of Speaker Upmeyer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cooper and Claire Upmeyer-Evers, grandchildren of Speaker Upmeyer.

The Journal of Friday, April 21, 2017, was approved.

RESIGNATION OF GOVERNOR

May 24, 2017

The Honorable Paul D. Pate
Secretary of State of Iowa
State Capitol Des Moines Iowa

Dear Mr. Secretary:

I love Iowa. For more than 22 years, I have been honored and privileged to serve the people of Iowa as their governor. My family and I will always be grateful to Iowans for trusting me to lead and putting their faith in me to serve.

It is tremendous amount of gratitude that I resign as Governor of the State of Iowa, effective immediately, in order to serve our country as U.S. Ambassador to the People's Republic of China. Iowa's future is bright under the leadership of Kim Reynolds.

Sincerely,

Terry E. Branstad
Governor

On May 24, 2017 at 10:06 a.m., Kim Reynolds took the oath of office in the Capitol Rotunda to become Iowa's forty-third governor. Iowa Supreme Court Justice Mark Cady administered the oath.

REMARKS BY GOVERNOR REYNOLDS

Date: May 24, 2017

Mr. Ambassador and Mrs. Branstad, Mr. Chief Justice, justices and judges, Majority Leader Dix, Speaker Upmeyer, legislative leaders, legislators, elected officials, family, friends and fellow Iowans. I'm incredibly honored to stand before you today as your governor.

Ambassador Branstad and Mrs. Branstad, thank you for your unselfish and historic service to this great state. There are really no words to describe the honor I've had serving with you these past six years.

But, Mr. Ambassador – if you will indulge me for a moment – I'd like to try. First, thanks for having the confidence in me to serve as your Lt. Governor. Every step of the way you've inspired me, challenged me, believed in me – sometimes more than I believed in myself.

You're more than a mentor. You're a friend and someone I look to for advice. Your competitive nature is contagious: 99 counties, Governor's Steer Show, Iowa leadership in the country and around the world.

I've watched you time and time again do the right thing regardless of politics or unbelievable pressure. If I can achieve but a fraction of the success you've achieved over the past 22 years, I will consider it the greatest accomplishment of my professional life. We worked hard, had fun, and we made a difference.

While I have some pretty tough shoes to fill, I'm excited to step into my heels on behalf of the people of Iowa and work hard every single day.

While today marks the closing of an important era for Iowa, it also is the beginning of an incredible opportunity for both of you. We're so proud to see you take our Iowa values to the world stage. I cannot think of a better couple more uniquely qualified to take on this new adventure. Please rise, so we can share our gratitude.

To my husband, Kevin, and my three daughters and their families – thank you for your unending encouragement, support and love.

To my Mom and Dad – you have always been there for me. Pushing me forward or lifting me up when I needed it most. From school events to my days of playing six-on-six basketball right to today, I can't even remember a single time when you weren't there.

To my eight and soon to be nine grandchildren – it's going to be a busy couple of years. But I want you to know that there is nothing more important to me than all of you and my family.

You know, I love this state and what it represents. I'm a rural Iowa girl who grew up in a small community, was able to run for county office, to serve as a state senator and your lieutenant governor. And now, to serve as the governor of our state.

It's reflective of what can happen when you have a passion, you want to make a difference and you're not afraid to go out there and work for it. I'm a fifth-generation Iowan, born and raised in St. Charles. It's a small town, but it had a big impact on my life.

Growing up in St. Charles, I learned the importance of community and love of country, of hard work and discipline, of fiscal responsibility and penny pinching. But most importantly, I learned to place my faith in God.

There weren't a lot of jobs for teenagers in St. Charles, so every weekend I would head to Des Moines where I worked as a waitress at Younkers. Waitressing is hard work, but if you knew how to turn tables, you could make good money serving chicken dinners to Iowans after church.

After Kevin and I were married, I worked as a check-out clerk at Hy-Vee. If you ever want to see real penny pinching in action, spend a day selling groceries to Iowans.

In this state, we grew up learning the value of a dollar and not to waste it – a lesson I intend to apply every day as your governor.

I didn't set out to become a politician or elected official. But when the Clarke County treasurer decided to retire in 1994, I saw an opportunity to take my ideas and turn them into action. That meant breaking down barriers – sometimes literally.

In the county treasurer's office, there was a wall that split the office in half. It made it difficult to work and to properly serve our residents. It got in the way of what I wanted to accomplish. So within weeks of taking office, I decided that it needed to come down.

I floated the idea to the Board of Supervisors. They didn't care if the wall came down. They just couldn't pay for it. So, like many Iowans, I had to think creatively.

And in this case, that involved my husband, Kevin, some friends, a sledgehammer and a wheelbarrow.

Over the weekend, we tore the wall down, piece by piece. We were covered in dust from head to toe, but the office was open for business.

When my team showed up on Monday, they couldn't believe the change. With the wall gone, we could collaborate and exchange ideas like never before. And that meant we could better serve the people of Clarke County and take on additional services like issuing drivers licenses from the treasurer's office.

After 14 years in the treasurer's office, I was honored to be elected to the state Senate. When I arrived in the Legislature, I was a freshman member of the minority party. I knew if I wanted to get anything done, I had to reach across the aisle.

But that came easy to me. I learned it from my grandfather. He was an FDR Democrat, so we saw the world very differently. As we sat around the kitchen table, we would debate – even disagree – but always with respect for each other's view.

Where I come from, party label didn't matter nearly as much as getting the job done. I took that same approach with me to the Legislature, which means bringing people together to work for Iowans.

One small example is how I worked across the aisle to enact a law that allowed Iowans to pay their court fines at the treasurer's office. That may sound simple, but it meant that

Iowans could restore their suspended driver's licenses, legally drive, go to work and take care of their families.

That bill passed with bipartisan support. It was a great example of common-sense legislation that Iowans expect.

In the summer of 2010, I received a call that would forever change my life and my family's and led to a whole new level of public service. Never in my wildest dreams did I believe a young girl growing up in St. Charles, Ia., would one day receive a call from Terry Branstad asking her to be his lieutenant governor.

Since that time, we partnered toward a common purpose with a sincere belief that Iowa's best days were ahead. As lieutenant governor, I've traveled the world representing Iowa, working to expand our markets, while bringing investment and jobs to our state.

I've worked on policy that attracts, retains and expands high-tech firms and fosters growth across Iowa. We've seen over \$14 billion of capital investment in our state, which represents a choice companies made to invest in Iowa, to grow in Iowa and to join our community of leaders.

We created pathways for Iowans to find careers that will keep them in Iowa. We focused on apprenticeships, skilled worker training and actively supported statewide economic development.

We gave hard-working taxpayers a seat at the table, made it more affordable to own and operate a business, restored liberties, protected life and made it more attractive for doctors to be in Iowa.

We've modernized our education system and while our graduation rate is No. 1 in the nation, we must not let up.

There's something else you should know about me. I'm never satisfied with status quo, and a desire to make a difference is what drives me. Part of being a successful leader is listening and looking for opportunities to bring people together.

While we've had many successes, our job is not done. Know that each day my team and I will ask ourselves what can we do to build a better Iowa. Let's move toward this shared goal together.

Let's make Iowa more competitive, bringing quality jobs to our families, neighbors and communities, building a fair economy where if you work hard, you get rewarded.

My vision for our great state embraces our past, builds a better, brighter future. As governor, I will focus every day on four key priorities: reforming Iowa's tax structure, innovating our energy policy, educating our kids and training for adults.

So let's talk about my first priority: reforming Iowa's tax structure. There is no doubt that we can do better. Our tax rates are some of the highest in the nation, and our code books are filled with a patchwork of exemptions, deductions and credits. That's not how it should be.

Our tax code should be simple. It should be fair. And it should inspire – not inhibit – growth. Because the bottom line is this: a simple, more competitive tax code makes it

easier for businesses to grow and expand and creates lasting careers for middle-class Iowans.

While we are blessed to have one of the lowest unemployment rates in the nation, there are still more than 50,000 people looking for work today. These are mothers, fathers, sons and daughters, looking for a better life.

As governor, I will wake up every day thinking about what we can do to help these Iowans gain the meaning and purpose that comes with earning a paycheck.

My second priority is: innovating Iowa's energy policy. We must view our rich, renewable resources in ways never thought possible. For years, our fields have fed the world. Now, they energize it. They produce products that fuel cars and they host wind turbines that power our communities and businesses.

And yet, those fields are filled with untapped potential. Our energy plan will help us continue to lead the way in wind energy and renewable fuels. Working together, we can have the most innovative energy policy in the country.

My third priority is: educating our children. Our children need and deserve an education that meets the demands of the 21st century - focusing on STEM, ensuring our best teachers stay in the classroom and renewing Iowa's emphasis on literacy.

Students and parents want educators and employers working together providing real-world learning experiences. We've already see innovative classrooms and schools spreading across the state – from Iowa Big North to the Pella Career Academy to the elementary coding school in Sioux City.

That's just the beginning. Let's take these pockets of innovation statewide!

My fourth priority is: training Iowans with the skills they need for the jobs of the future. Future Ready Iowa will connect Iowa's efforts in education, workforce training and economic development.

Our goal is that by 2025, 70% of our workforce will have an education or training beyond high school. We're going to build an Iowa where hard-working, middle-class families can live anywhere in our state and have the skills they need to find successful careers. This is about opportunity for more Iowans.

Building a better Iowa also means connecting Iowa to the world by expanding high-speed internet access, regardless of the size and location of the town. A connected community means better jobs, safer communities, better education and better quality of life. And, it's the expectation of our young people.

As your governor, I won't stop working until every Iowan, no matter where they live, has the same opportunity to succeed, have a satisfying career, raise a family and have a great quality of life. It won't be easy, but I know I won't be doing it alone.

I'm grateful for my faith, my family, an incredible team, friends, neighbors and Iowans in all 99 counties standing beside me. I'm especially grateful to the people of Clarke County for giving me a second chance when I needed it most. I'm a better person because of their

ongoing encouragement, prayers and support. I'm not perfect. I'm not infallible. But I am an Iowan, through and through.

Lastly, I will leave to the historians to write what they will about the meaning of this day in the story of Iowa.

Becoming Iowa's first woman governor is both humbling and exciting. I will do my best to serve as a role model for others to follow and hope to emulate the finest qualities of those who led before me.

However, it is my responsibility, my challenge, to do my best. To give them the opportunity to write much more than "she was Iowa's first woman governor."

While I am extremely proud of that fact, there needs to be more to it. I am confident that with your help and support, we can build on the good things accomplished over the past six years.

We can pursue a bold vision of innovation, ingenuity, and growth such that our chapter in the history of Iowa will be filled with great accomplishments, with page upon page about how we made Iowa an even better place to live, work, innovate, create and raise a family.

And then – if they must – they can add at the end of the chapter "and, oh by the way, she was also Iowa's first woman governor."

Today, I stand before you as your humble servant and governor.

Thank you, and may God bless you, and God bless this great state of Iowa and our nation.

COMMITTEE REVISIONS

The Speaker announced the following changes to committee assignments effective August 3, 2017:

Administrative Rules Review Committee
Hunter replaced Staed

The Speaker announced the following changes to committee assignments effective September 22, 2017:

Administrative Rules Review Committee
Nielsen replaced Hunter

The Speaker announced the following changes to committee assignments effective January 4, 2018:

Administration and Rules
Kacena, Ranking Member replaced Gaines, Ranking Member

Agriculture

Miller, P. replaced Hanson

Commerce

Kacena replaced Finkenauer

Education

Miller, P. replaced Hanson

Jacobsen, Vice Chair replaced Forristall, Vice Chair

Environmental Protection

Bennett replaced Hanson

Government Oversight

Gaines, Ranking Member replaced Finkenauer, Ranking Member

Human Resources

Jacobsen replaced Forristall

Labor

Jacobsen replaced Forristall

National Resources

Nielsen, Ranking Member replaced Hanson, Ranking Member

State Government

Smith, R. replaced Nielsen

Transportation

Miller, P. replaced Finkenauer

Veterans Affairs

Hein removed

Jacobsen added

Ways and Means

Hein added

Administration and Regulation Appropriations Subcommittee

Finkenauer replaced Hunter

Taylor, T. replaced Kurth

Education Appropriations Subcommittee

Miller, P. replaced Hanson

Kurth replaced Gaines

Health and Human Services Appropriations Subcommittee

Hunter replaced Breckenridge

Justice System Appropriations Subcommittee

Breckenridge, Ranking Member replaced Taylor, T., Ranking Member

The Speaker announced the following changes to committee assignments effective January 8, 2018:

Judiciary

Heartsill named Vice Chair

MEMBER RESIGNATION

December 20, 2017

Governor Kim Reynolds
State Capitol
1007 East Grand Ave.
Des Moines, Iowa 50319

Re: Tender of resignation for State Representative Jim Carlin

Dear Governor Reynolds: It has been a great personal honor to serve in the Iowa House of Representatives.

With my election to the Iowa Senate on December 12, I am writing to officially tender my resignation from the Iowa House.

Pursuant to Iowa Code section 69.4(2), I hereby resign my position as State Representative for District 6 effective 7:00 a.m. on December 21, 2017.

Sincerely,

Jim Carlin

**SUPPLEMENTAL REPORT OF
COMMITTEE ON CREDENTIALS**

MADAM SPEAKER: We, your committee on credentials, respectfully report that we find the following person duly elected to and entitled to a seat in the House of Representatives of the Eighty-seventh General

Assembly as show by this duplicate copy of the certificate of election on file in the office of the Secretary of State:

Jon Jacobsen, House District 22

In accordance with Iowa Code Section 2.5, the Committee on Credentials has reviewed the certification of the June 27, 2017 Special Election from Iowa Secretary of State Paul D. Pate, which is attached hereto and incorporated by this reference.

Gary Carlson, Chair
Ross Paustian
Skyler Wheeler
John Forbes
Phyllis Thede

**Office of the Secretary of State
CERTIFICATION**

To the Honorable Chief Clerk of the House:

I, PAUL D. PATE, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at the Special Election held on June 27, 2017, the following named person was duly elected to the office of State Representative for the residue of the term ending January 1, 2019:

22nd District Jon Jacobsen

(Seal)

In testimony whereof, I have hereunto set my hand and affixed the seal of the Secretary of State at the Statehouse in Des Moines this tenth day of July, 2017.

PAUL D. PATE, Secretary of State

I hereby acknowledge receipt of the original copy of this document on this tenth day of July, 2017.

CARMINE BOAL, Chief Clerk of the House

**SUPPLEMENTAL REPORT OF
COMMITTEE ON CREDENTIALS**

MADAM SPEAKER: We, your committee on credentials, respectfully report that we find the following person duly elected to and entitled to a seat in the House of Representatives of the Eighty-seventh General Assembly as show by this duplicate copy of the certificate of election on file in the office of the Secretary of State:

Phil Miller, House District 82

In accordance with Iowa Code Section 2.5, the Committee on Credentials has reviewed the certification of the August 8, 2017 Special Election from Iowa Secretary of State Paul D. Pate, which is attached hereto and incorporated by this reference.

Gary Carlson, Chair
 Ross Paustian
 Skyler Wheeler
 John Forbes
 Phyllis Thede

**Office of the Secretary of State
 CERTIFICATION**

To the Honorable Chief Clerk of the House:

I, PAUL PATE, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at the Special Election held on August 8, 2017, the following named person was duly elected to the office of State Representative for the residue of the term ending on January 1, 2019:

82nd District Phil Miller

(Seal)

In testimony whereof, I have hereunto set my hand and affixed the seal of the Secretary of State at the Statehouse in Des Moines this twenty-first day of August, 2017.

PAUL D. PATE, Secretary of State

I hereby acknowledge receipt of the original copy of this document on this twenty-first day of August, 2017.

CARMINE BOAL, Chief Clerk of the House

Carlson of Muscatine moved that the supplemental reports of the committee on credentials be adopted.

The motion prevailed and the supplemental reports were adopted.

MEMBER OATH OF OFFICE

The following oath of office was administered to Representative-elect Jon Jacobsen of Pottawattamie County by the Chief Clerk on July 11, 2017 and to Representative-elect Phil Miller of Jefferson County by State Treasurer Michael Fitzgerald on August 24, 2017:

"I do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Iowa, and that I will faithfully discharge the duties of Representative, according to the best of my ability, so help me God."

JON JACOBSEN
PHIL MILLER

SEAT ASSIGNMENTS/REVISION

Name	Seat Assignment
Brian Meyer	from 87 to 94
Jon Jacobsen	68
Phil Miller	87

COMMITTEE ASSIGNMENTS

Jacobsen, Jon
Education, Vice Chair
Human Resources
Labor
Veterans Affairs

Miller, Phil
Agriculture
Education
Transportation
Education Appropriations Subcommittee

COMMITTEE TO NOTIFY THE GOVERNOR

Highfill of Polk moved that a committee of three be appointed to notify the Governor that the House was duly organized and ready to receive any communication that she may desire to transmit.

The motion prevailed and the following committee was appointed: Highfill of Polk, Chair; Deyoe of Story and Ourth of Warren.

COMMITTEE TO NOTIFY THE SENATE

Fry of Clarke moved that a committee of three be appointed to notify the Senate that the House was duly organized and ready to receive any communication that the Senate may desire to transmit.

The motion prevailed and the following committee was appointed: Fry of Clarke, Chair; Holt of Crawford and Nielsen of Johnson.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 101

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 101**, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 101

BY UPMEYER and M. SMITH

- 1 A concurrent resolution providing for a joint
- 2 convention for the Condition of the State Address.
- 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
- 4 THE SENATE CONCURRING, That a joint convention of the
- 5 two houses of the 2018 session of the Eighty-seventh
- 6 General Assembly be held on Tuesday, January 9, 2018,
- 7 at 10:00 a.m.; and
- 8 BE IT FURTHER RESOLVED, That Governor Kim Reynolds
- 9 be invited to deliver her condition of the state
- 10 message at this joint convention of the two houses of
- 11 the General Assembly, and that the Speaker of the House
- 12 of Representatives and the President of the Senate be
- 13 designated to extend the invitation to her.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 102

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 102**, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 102

BY UPMEYER and M. SMITH

- 1 A concurrent resolution providing for a joint
- 2 convention for the Condition of the Judiciary
- 3 Address.
- 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
- 5 THE SENATE CONCURRING, That a joint convention of the
- 6 two houses of the 2018 session of the Eighty-seventh
- 7 General Assembly be held on Wednesday, January 10,
- 8 2018, at 10:00 a.m.; and
- 9 BE IT FURTHER RESOLVED, That Chief Justice Mark
- 10 S. Cady be invited to present his message of the
- 11 condition of the judicial branch at this convention,
- 12 and recommend such matters as the Chief Justice deems
- 13 appropriate, pursuant to section 602.1207 of the Code
- 14 of Iowa.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 103

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Concurrent Resolution 103**, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 103

BY UPMEYER and M. SMITH

- 1 A concurrent resolution to provide for a joint
- 2 convention for the Condition of the Iowa National
- 3 Guard.
- 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
- 5 THE SENATE CONCURRING, That a joint convention of the
- 6 two houses of the 2018 session of the Eighty-seventh
- 7 General Assembly be held on Thursday, January 11, 2018,
- 8 at 10:00 a.m.; and
- 9 BE IT FURTHER RESOLVED, That Major General
- 10 Timothy E. Orr be invited to present his message
- 11 of the condition of the Iowa National Guard at this
- 12 convention.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolutions 101, 102 and 103**.

REMARKS BY MAJORITY LEADER HAGENOW

Thank you Madam Speaker.

Madam Speaker, ladies and gentlemen of the House. It is my great honor to welcome you back to the Statehouse as we continue the historic work of the 87th General Assembly.

With the first day of each session comes excitement and anticipation. But, this year, it also comes with reflection as we remember two of our members whom we will greatly miss - Representative Greg Forristall and Representative Curt Hanson. Our thoughts and prayers continue to be with their families and may we never forget their honorable service to our great state.

All of us here today, whether Republican or Democrat, return to do the people's work and it is the service of Iowans that we must always keep in mind. This great institution is stronger and our government works better, when we are willing to talk to each other, listen to each other's ideas and not merely dismiss them based on which letter follows their name on a ballot. I'm grateful for the many relationships I have developed on both sides of the aisle and working together on our shared interests.

It is a tremendous honor to lead this group of House Republicans. While pundits and prognosticators concern themselves with which direction the political winds may be blowing, those voices will do nothing to change our resolve. You are determined, committed, and principled leaders. There are voices out there that wish to stifle our every effort and take us back to the old ways of doing things – instead, you continue to work hard, find creative policy solutions, and be unafraid to challenge the status quo.

Last year, we made extraordinary accomplishments due to the opportunity entrusted to us by Iowans. House Republicans remain committed to charting a brighter course for the state of Iowa by focusing on innovative policy solutions that look ahead to the next generation.

We must continue to boldly lead and always challenge yesterday's voices who seek to turn the calendar back. We will lead by looking ahead and always asking, "What's next?"

Every year, House Republicans are dedicated to responsible stewardship of the hard-earned resources of Iowa taxpayers. We are again committed to sound budget practices that demonstrate fiscal restraint, safeguard the priority needs of Iowans, and protect Iowa taxpayers.

Along with our commitment to strong budget leadership, we look forward to a broad conversation about reforming Iowa's tax code to make the system fairer, simpler, and more competitive. House Republicans would rather grow our economy than grow our government. Putting more dollars back into the pockets of Iowans will unleash our economy, expand our businesses, and empower our families.

As I have traveled the state meeting business and community leaders I often hear about challenges they face in recruiting and hiring skilled employees. House Republicans are excited to work on ideas to further develop Iowa's workforce. Not only can this help Iowa businesses grow, but these efforts will help individual Iowans find new and better careers. The needs of Iowa's economy are ever-changing, and we must continue to help prepare all Iowans for greater prosperity in a twenty-first century economy.

Each of us makes a sacrifice to be here; but, it is important to reflect on the sacrifices each of our families make, and often, their sacrifice is far greater than ours. Without their patience and support nothing I've accomplished here would have been possible.

To close, my prayer today is that God will continue to bless each one of us, the people we represent, and the great State of Iowa.

Thank you Madam Speaker.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Highfill of Polk, Chair of the committee to notify the Governor that the House was duly organized and ready to receive any communication she might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

REMARKS BY MINORITY LEADER M. SMITH

Thank you, Madam Speaker and good morning members of the Iowa House of Representatives.

I especially want to welcome Representative Jon Jacobsen and Representative Phil Miller, who were elected in special elections held during the interim. Congratulations on your honor and responsibility to represent the people of your districts.

Over the interim, we lost two members who devoted a good deal of their lives to this body: Representative Greg Forristall and Representative Curt Hanson. Both wanted to keep the seriousness of their illnesses as quiet as possible. Both will be missed.

I once had the honor of sitting next to Representative Hanson. In all my years here, I have never seen someone interact with constituents better than Curt. He was patient and kind. He had a folksy manner in which he could disagree and still be on friendly terms. This is a business where you often create enemies, but Curt never did.

Curt was a driver's education teacher for over forty years. I can only imagine some of those car rides flying through county highways in rural SE Iowa. I believe these experiences gave him his ever calm demeanor, no matter how stressful the situation. I spent a good amount of time with Curt close to the end and his ability to bring levity to his own situation always amazed me. He will be missed dearly.

House Democrats believe it's time for the Legislature to work together and get back to the basics. That means focusing our efforts on good jobs and boosting our skilled workforce. It means renewing our commitment to public schools. And it means working together to make health care both more affordable and accessible.

It's our job here to make life better for Iowans and their families, not make it more difficult. Since we left the Statehouse last May, a lot has happened.

The gross mismanagement of the state budget has been on display consistently since we adjourned last year. In just a few short years, the state budget has gone from a \$900 million surplus to a \$259 million deficit last year.

After putting \$130 million on the state's credit card to balance the budget in the closing days of session last year, the 2017 budget went in deficit for the third time last summer. Our new Governor announced she would transfer money and put millions more on the state's credit card to cover the deficit yet again.

After reviewing the law carefully, members of the House Democratic Caucus joined State Treasurer Michael Fitzgerald in expressing concern about the transfer because it did not meet the requirements of our law. However, the Governor illegally transferred the money anyway. So, the first order of business this session has to be to clean up the 2017 budget mess. Next, this body will have to take action on the 2018 budget, which is now in deficit, because the budget you approved last session spent more than we took in. Again.

House Democrats will work this session to protect the taxpayers of Iowa and restore fiscal discipline. We don't believe Iowans should be forced to clean up the budget mess and we will work to hold both the majority party and the Governor accountable.

Since we last met, there has been a lot of discussion about Iowa's skilled workforce. I've heard from members on both sides of the aisle that this must be a top priority this session and I couldn't agree more. Iowa businesses want better trained workers. Iowans want to improve their incomes by furthering their education. At no time in our state's history has the need for education and training after high school been more important.

I'm optimistic that we can make good progress this session in growing our skilled workforce.

However, it's essential that this body look at the big picture. We'll never reach our goal of increasing the number of skilled workers here in Iowa if we don't acknowledge and address the fundamental challenges facing public education today.

Our public schools and educators have been asked to do more with less for too many years. School leaders are warning us that the Legislature's continued anemic investment in public schools does not give them the tools they need to prepare Iowa students to compete in the global economy. They have warned us about the struggles to maintain the quality of life in rural communities and the over-reliance on property taxes to fund education because of a lack of investment from the Legislature. Now, our public schools worry about vouchers siphoning money away from our public schools.

This body must also acknowledge the challenges in higher education. Every dollar cut from higher education results in higher tuition and more debt for Iowans who want to improve their skills and offer more to their communities and state. Last session, over \$20 million was stripped from our community colleges and universities which led to another round of tuition hikes for Iowa students. We can't continue to make higher education unaffordable and out of reach for thousands of students and expect to fix the skilled worker shortage we face at the same time.

House Democrats believe it's time for the Legislature to renew our commitment to public schools and keep training after high school affordable for all so we can grow our skilled workforce.

In the first decade of this century, the Iowa General Assembly worked together to provide a greater degree of health care to its people than other states. A decade later when the Affordable Care Act was enacted, Republicans and Democrats worked together again to give Iowans more options for their health care.

Since that time, however, our healthcare system has deteriorated rapidly and nowhere is that more apparent than Medicaid privatization. Some providers have closed and others have taken on debt because they aren't getting paid. Iowans are still scrambling to find the care they need. The whole system was thrown in chaos again when one of the private companies left Iowa and left over 200,000 Iowans in the lurch. Because of privatization, Iowans are getting less care and have fewer options today.

The good news is there was bipartisan agreement at the Health Policy Committee meeting last month that Medicaid privatization is failing Iowans right now. It's up to us to fix these problems this session -- and quickly -- before more Iowans die unnecessarily.

Since we last met here, more tragic deaths have occurred as a result of our failing mental health system. Since I first began work as a social worker 43 years ago, research has unraveled more and more of the mysteries of the human brain. With more precision and at earlier stages, mental illnesses can be detected and treated.

However, as policy makers, we have not kept up with the science. Much more can and should be done to intervene and treat mental health conditions. We need to invest in the training of all levels of mental health professionals; develop a community-based, comprehensive treatment approach that includes substance abuse disorders; and fix the way we fund our system that punishes rural counties with higher rates than urban counties.

My grandfather was an eighth grade educated Iowa farmer who lived by the rules of feeding your family, honoring the soil, and being a good neighbor. Feeding our family is actually being nurturing to all who make Iowa their home.

Honoring our soil is one of the most important actions we can take and being a good neighbor encourages us to have clean water and fair policies so that we welcome those around us. We have three pressing obligations this session: 1) to continue producing food for the world, 2) to replenish our soil so that we hand it down to future generations, and 3) to improve water quality. We cannot wait longer to address these critical issues.

In the past, we have worked in a bipartisan manner to address the challenges we face and we, as House Democrats, stand ready to do so again. However, our involvement should and must be from the beginning.

Whether it's health care, water quality, education, or building a skilled workforce, we can always say there will be another time to make progress. We can always put off until tomorrow what we should do today. Those restraints did not stop our ancestors for having the courage to tackle the problems facing them in the Great Depression or when they were breaking Iowa's sod for the first time. It's time for us to tackle the challenges we face today. Together.

I close with a quote from the elegant poet, Maya Angelo: "History with its wrenching pain cannot go un-lived, but when faced with courage, need not be lived again." A bright future for Iowa is a head, if we prepare for it today.

Thank you, Madam Speaker.

REMARKS BY SPEAKER UPMEYER

Welcome back to the Iowa House!

It has been 262 days since we adjourned the 2017 session. Normally, that would sound like a long time, but today it sure feels short.

In those 262 days, we have done exactly what was intended of this citizen legislature. We went home to our families, we went to work and we spent time with our communities. Most importantly, we spent time listening.

I am so proud every time I talk with one of you or I pick up a newspaper and see the engagement you have with your communities. Countless miles, meetings, and conversations are what filled those 262 days.

So today, we call the Iowa House back to order and we bring with us the benefits of being home to live, work, and listen. We will do with that experience what I believe we do better than anyone else in the country, we will put it into action.

Last month, Iowa's unemployment rate dropped to the lowest it has been in 17 years, 2.9%! However, I know that behind that number are too many Iowan's who lack the training or the experience for the high-skilled and high-wage careers that many employers are looking to fill right now.

This is about the essence of the American dream, upward mobility. We have so much talent in this state, we cannot let it slip away. We must connect today's workforce with training and certification so they can achieve that dream... a career and security for their families.

We must work both in our classrooms and with employers so that our future workforce gets an effective education that prepares them for the careers and emerging industries that will drive our state forward.

I want Iowans to find their American dream right here at home and I am happy to work with Governor Reynolds on a plan of action that will focus on results that will benefit every Iowan and every community.

If Iowa is going to be a place that our children and grandchildren choose to stay, we must also offer them access to the affordable healthcare they need and the quality they deserve. For years, I have complained about burdensome federal regulations stripping us of our ability as a state to address our own needs.

With the collapse of the individual insurance market, we have seen the consequences of failed federal policies. I am tired of complaining, I am tired of waiting. It is time for us as a state to act.

Before long, Iowans will begin to see how federal tax reform benefits each of them and their families. Individual taxpayers in Iowa are estimated to save over \$1.5 billion, and more money in Iowan's pockets is a great thing.

Because of federal deductibility, federal tax cuts for Iowans could mean a higher state tax burden in future years. Those tax cuts were intended to remain with the hardworking taxpayers of Iowa. Let's make sure that happens!

We have a huge opportunity to grow the state of Iowa with tax reform. We should be excited about this but we must also be pragmatic. It must be done in a way that benefits Iowa families while also protecting the sustainability of future budgets.

No single one of us can get anything done without working together and finding some level of consensus in this room. Do not let the days of this session slip away waiting for someone to reach out to work with you. Be the one who reaches out and inspires others to come together. Let there be many fingerprints on our work, and we will be more successful because of it.

Our ability to turn ideas into action is the hallmark of the Iowa House. Now I want us to get down to business, so maybe I can help by wrapping up this speech!

Ladies and gentlemen, let's get back to work!

Thank you.

The House stood at ease at 10:38 a.m., until the fall of the gavel.

The House resumed session at 10:42 a.m., Speaker Upmeyer in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Fry of Clarke, Chair of the committee to notify the Senate that the House was duly organized and ready to receive any communication that the Senate might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

COMMITTEE FROM THE SENATE

Senator Brown of Mitchell appeared and notified the House that the Senate was duly organized and ready to receive any communication that the House might desire to transmit.

RULE 57 SUSPENDED

Hagenow of Polk asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for the committees on Administration and Rules, Ways and Means, Appropriations, Public Safety, Economic Growth and State Government to meet today.

On motion by Hagenow of Polk, the House was recessed at 10:45 a.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:32 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on January 8, 2018, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 101, a concurrent resolution providing for a joint convention for the Condition of the State Address.

Also: That the Senate has on January 8, 2018, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 102, a concurrent resolution providing for a joint convention for the Condition of the Judiciary Address.

Also: That the Senate has on January 8, 2018, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 103, a concurrent resolution to provide for a joint convention for the Condition of the Iowa National Guard.

W. CHARLES SMITHSON, Secretary

BILLS REREFERRED TO COMMITTEES (Rule 45)

Under the provision of House Rule 45, the following bills were rereferred to the committees listed:

House File 290	Ways And Means
House File 477	Ways And Means
House File 484	Agriculture
House File 513	Transportation
House File 520	Public Safety
House File 570/Senate File 452	State Government
House File 585/Senate File 197	Veterans Affairs
House File 590	Transportation
House File 600	Government Oversight
House File 613	Ways and Means
House File 614	Ways and Means
House File 615	Ways and Means
House File 619	Ways and Means
House File 620	Ways and Means
House File 638	Ways and Means
House File 639	Ways and Means
House File 646	Appropriations
House File 647	Appropriations
House File 651	Ways and Means
House File 655	Ways and Means
House File 656	Ways and Means

Senate File 197/House File 585	(See House File 585)
Senate File 220	Transportation
Senate File 415	Judiciary
Senate File 449	Transportation
Senate File 452/House File 570	(See House File 570)
Senate File 475	Education

COMMITTEE ASSIGNMENTS

STANDING COMMITTEES APPOINTED

The Speaker announced the following appointments to the standing committees of the House:

*Vice Chair
**Ranking Member

ADMINISTRATION AND RULES – 15 Members

Sexton, Chair	Klein*	Kacena**
Bearinger	Bennett	Hagenow
Jones	Meyer	Miller, H.
Nunn	Smith, M.	Upmeyer
Wills	Windschitl	Wolfe

AGRICULTURE – 23 Members

Hein, Chair	Holz*	Prichard**
Baltimore	Baudler	Baxter
Bearinger	Cohoon	Hall
Isenhardt	Kearns	Kerr
Klein	Maxwell	Miller, H.
Miller, P.	Mommsen	Ourth
Paustian	Sexton	Sieck
Wills	Zumbach	

APPROPRIATIONS – 25 Members

Grassley, Chair	Hinson*	Hall**
Bearinger	Best	Breckenridge
Brown-Powers	Deyoe	Dolecheck
Fisher	Heaton	Heddens
Highfill	Huseman	Landon
Mommsen	Oldson	Rogers
Running-Marquardt	Sexton	Taylor, R.
Taylor, T.	Thede	Winckler
Worthan		

COMMERCE – 23 Members

Cownie, Chair	Mohr*	Oldson**
Best	Bloomington	Carlson
Fisher	Forbes	Grassley
Hall	Holz	Jacoby
Kacena	Kressig	Landon
Lundgren	McConkey	Meyer
Ourth	Pettengill	Vander Linden
Watts	Wills	

ECONOMIC GROWTH – 21 Members

Hanusa, Chair	Lundgren*	Gaskill**
Baxter	Bearinger	Bennett
Bloomington	Carlson	Deyoe
Finkenauer	Gassman	Gustafson
Holz	Isenhardt	McConkey
McKean	Miller, H.	Mohr
Nunn	Running-Marquardt	Sieck

EDUCATION – 23 Members

Rogers, Chair	Jacobsen*	Steckman**
Breckenridge	Brown-Powers	Dolecheck
Fry	Gaines	Gassman
Hager	Hanusa	Jones
Koester	Mascher	Miller, P.
Mommsen	Moore	Nielsen
Salmon	Smith, R.	Staed
Wheeler	<i>Vacancy</i>	

ENVIRONMENTAL PROTECTION – 21 Members

Paustian, Chair	McKean*	Isenhardt**
Abdul-Samad	Anderson	Baudler
Bennett	Gassman	Kaufmann
Kerr	Klein	Koester
Kressig	Kurth	Lensing
Moore	Rizer	Rogers
Steckman	Wheeler	Winckler

ETHICS – 6 Members

Taylor, R., Chair	Baxter*	Thede**
Cphoon	Kearns	Lundgren

GOVERNMENT OVERSIGHT – 9 Members

Kaufmann, Chair	Heartsill*	Gaines**
Heaton	Lensing	Pettengill
Thede	Windschitl	Wolfe

HUMAN RESOURCES – 21 Members

Fry, Chair	Bergan*	Wessel-Kroeschell**
Abdul-Samad	Anderson	Bacon
Best	Brown-Powers	Dolecheck
Forbes	Heaton	Heddens
Holt	Hunter	Jacobsen
Koester	Lundgren	Mascher
Moore	Salmon	Taylor, R.

JUDICIARY – 21 Members

Baltimore, Chair	Heartsill*	Wolfe**
Bennett	Gustafson	Hein
Hinson	Jones	Koester
Lensing	McKean	Meyer
Nunn	Oldson	Olson
Paustian	Rizer	Smith, R.
Wessel-Kroeschell	Windschitl	<i>Vacancy</i>

LABOR – 17 Members

Deyoe, Chair	Sheets*	Hunter**
Hanusa	Highfill	Holt
Holz	Jacobsen	Kacena
Kearns	Klein	McConkey
Running-Marquardt	Taylor, T.	Watts
Wheeler	Worthan	

LOCAL GOVERNMENT – 21 Members

Highfill, Chair	Hager*	Staed**
Bloomingtondale	Carlson	Deyoe
Gaskill	Gassman	Heartsill
Jones	Kaufmann	Kressig
Kurth	Landon	Lensing
McKean	Meyer	Nielsen
Sheets	Thede	Wolfe

NATURAL RESOURCES – 21 Members

Bacon, Chair	Fisher*	Nielsen**
Baudler	Baxter	Bearinger
Breckenridge	Cownie	Huseman
Jacoby	Kerr	Maxwell
Miller, H.	Mommsen	Ourth
Prichard	Sexton	Steckman
Thede	Wills	Zumbach

PUBLIC SAFETY – 21 Members

Baudler, Chair	Kerr*	Anderson**
Abdul-Samad	Breckenridge	Fisher
Fry	Gaines	Hager
Heartsill	Holt	Kacena
Klein	Kressig	Kurth
Olson	Salmon	Sheets
Wessel-Kroeschell	Wheeler	Worthan

STATE GOVERNMENT – 23 Members

Rizer, Chair	Koester*	Mascher**
Bacon	Baltimore	Bergan
Cohoon	Cownie	Hein
Highfill	Hunter	Kaufmann
Lensing	Moore	Oldson
Pettengill	Sexton	Smith, R.
Steckman	Taylor, T.	Watts
Winckler	Zumbach	

TRANSPORTATION – 21 Members

Carlson, Chair	Maxwell*	Forbes**
Bacon	Best	Cohoon
Hager	Heddens	Hinson
Huseman	Jacoby	Landon
Miller, P.	Mohr	Olson
Ourth	Sieck	Smith, R.
Taylor, R.	Wills	Worthan

VETERANS AFFAIRS – 17 Members

Holt, Chair	Salmon*	Kearns**
Baxter	Gaines	Gustafson
Hanusa	Heartsill	Jacobsen
Kacena	Meyer	Miller, H.
Prichard	Staed	Watts
Zumbach	<i>Vacancy</i>	

WAYS AND MEANS – 25 Members

Vander Linden, Chair	Bloomington*	Jacoby**
Baltimore	Bennett	Bergan
Cownie	Forbes	Gaskill
Hein	Holt	Isenhardt
Kaufmann	Kearns	Kurth
Maxwell	McConkey	Mohr
Nunn	Pettengill	Prichard
Rizer	Sieck	Windschitl
Wolfe		

HOUSE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION – 9 Members

Landon, Chair	Gustafson*	Brown-Powers**
Abdul-Samad	Bloomingdale	Finkenauer
Hager	Sheets	Taylor, T.

AGRICULTURE AND NATURAL RESOURCES – 9 Members

Mommsen, Chair	Zumbach*	Ourth**
Bacon	Hein	Isenhart
Paustian	Prichard	Steckman

ECONOMIC DEVELOPMENT – 9 Members

Best, Chair	Gassman*	Running-Marquardt**
Deyoe	Gaskill	Hanusa
Kressig	McKean	Staed

EDUCATION – 9 Members

Dolecheck, Chair	Moore*	Winckler**
Fisher	Kurth	McConkey
Miller, P.	Mohr	Rogers

HEALTH AND HUMAN SERVICES – 9 Members

Heaton, Chair	Taylor, R.*	Heddens**
Bergan	Forbes	Fry
Hunter	Lundgren	Wessel-Kroeschell

JUSTICE SYSTEM – 9 Members

Worthan, Chair	Sieck*	Breckenridge**
Anderson	Hinson	Holz
Kacena	Kearns	<i>Vacancy</i>

TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS – 9 Members

Huseman, Chair	Wheeler*	Cphoon**
Carlson	Kerr	Mascher
Maxwell	Nielsen	Smith, R.

HOUSE COMMITTEE ASSIGNMENTS

Abdul-Samad, Ako
 Environmental Protection
 Human Resources
 Public Safety
 Administration and Regulation Appropriations Subcommittee

Anderson, Marti

Environmental Protection
Human Resources
Public Safety, Ranking Member
Justice System Appropriations Subcommittee

Bacon, Robert

Human Resources
Natural Resources, Chair
State Government
Transportation
Agriculture and Natural Resources Appropriations Subcommittee

Baltimore, Chip

Agriculture
Judiciary, Chair
State Government
Ways and Means

Baudler, Clel E.

Agriculture
Environmental Protection
Natural Resources
Public Safety, Chair

Baxter, Terry C.

Agriculture
Economic Growth
Ethics, Vice Chair
Natural Resources
Veterans Affairs

Bearinger, Bruce

Administration and Rules
Agriculture
Appropriations
Economic Growth
Natural Resources

Bennett, Liz

Administration and Rules
Economic Growth
Environmental Protection
Judiciary
Ways and Means

Bergan, Michael

Human Resources, Vice Chair
State Government
Ways and Means
Health and Human Services Appropriations Subcommittee

Best, Brian

Appropriations
Commerce
Human Resources
Transportation
Economic Development Appropriations Subcommittee, Chair

Bloomingtondale, Jane E.

Commerce
Economic Growth
Local Government
Ways and Means, Vice Chair
Administration and Regulation Appropriations Subcommittee

Breckenridge, Wesley C.

Appropriations
Education
Natural Resources
Public Safety
Justice Systems Appropriations Subcommittee, Ranking Member

Brown-Powers, Timi

Appropriations
Education
Human Resources
Administration and Regulation Appropriations Subcommittee, Ranking Member

Carlson, Gary

Commerce
Economic Growth
Local Government
Transportation, Chair
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Cohoon, Dennis M.

Agriculture
Ethics
State Government
Transportation
Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Ranking Member

Cownie, Peter

Commerce, Chair
Natural Resources
State Government
Ways and Means

Deyoe, Dave

Appropriations
Economic Growth
Labor, Chair
Local Government
Economic Development Appropriations Subcommittee

Dolecheck, Cecil

Appropriations

Education

Human Resources

Education Appropriations Subcommittee, Chair

Finkenauer, Abby

Economic Growth

Administration and Regulation Appropriations Subcommittee

Fisher, Dean C.

Appropriations

Commerce

Natural Resources, Vice Chair

Public Safety

Education Appropriations Subcommittee

Forbes, John

Commerce

Human Resources

Transportation, Ranking Member

Ways and Means

Health and Human Services Appropriations Subcommittee

Fry, Joel

Education

Human Resources, Chair

Public Safety

Health and Human Services Appropriations Subcommittee

Gaines, Ruth Ann

Education

Government Oversight, Ranking Member

Public Safety

Veterans Affairs

Gaskill, Mary

Economic Growth, Ranking Member

Local Government

Ways and Means

Economic Development Appropriations Subcommittee

Gassman, Tedd

Economic Growth

Education

Environmental Protection

Local Government

Economic Development Appropriations Subcommittee, Vice Chair

Grassley, Pat

Appropriations, Chair

Commerce

Gustafson, Stanley R.

Economic Growth

Judiciary

Veterans Affairs

Administration and Regulation Appropriations Subcommittee, Vice Chair

Hagenow, Chris

Administration and Rules

Hager, Kristi

Education

Local Government, Vice Chair

Public Safety

Transportation

Administration and Regulation Appropriations Subcommittee

Hall, Chris

Agriculture

Appropriations, Ranking Member

Commerce

Hanusa, Mary Ann

Economic Growth, Chair

Education

Labor

Veterans Affairs

Economic Development Appropriations Subcommittee

Heartsill, Greg T.

Government Oversight, Vice Chair

Judiciary, Vice Chair

Local Government

Public Safety

Veterans Affairs

Heaton, David E.

Appropriations

Government Oversight

Human Resources

Health and Human Services Appropriations Subcommittee, Chair

Heddens, Lisa

Appropriations

Human Resources

Transportation

Health and Human Services Appropriations Subcommittee, Ranking Member

Hein, Lee

Agriculture, Chair

Judiciary

State Government

Ways and Means

Agriculture and Natural Resources Appropriations Subcommittee

Highfill, Jake

Appropriations

Labor

Local Government, Chair

State Government

Hinson, Ashley

Appropriations, Vice Chair

Judiciary

Transportation

Justice System Appropriations Subcommittee

Holt, Steven

Human Resources

Labor

Public Safety

Veterans Affairs, Chair

Ways and Means

Holz, Chuck

Agriculture, Vice Chair

Commerce

Economic Growth

Labor

Justice System Appropriations Subcommittee

Hunter, Bruce L.

Human Resources

Labor, Ranking Member

State Government

Health and Human Services Appropriations Subcommittee

Huseman, Daniel Adair

Appropriations

Natural Resources

Transportation

Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair

Isenhardt, Charles

Agriculture

Economic Growth

Environmental Protection, Ranking Member

Ways and Means

Agriculture and Natural Resources Appropriations Subcommittee

Jacobsen, Jon

Education, Vice Chair

Human Resources

Labor

Veterans Affairs

Jacoby, Dave J.

Commerce
Natural Resources
Transportation
Ways and Means, Ranking Member

Jones, Megan

Administration and Rules
Education
Judiciary
Local Government

Kacena, Timothy H.

Administration and Rules, Ranking Member
Commerce
Labor
Public Safety
Veterans Affairs
Justice System Appropriations Subcommittee

Kaufmann, Bobby

Environmental Protection
Government Oversight, Chair
Local Government
State Government
Ways and Means

Kearns, Jerry A.

Agriculture
Ethics
Labor
Veterans Affairs, Ranking Member
Ways and Means
Justice System Appropriations Subcommittee

Kerr, David L.

Agriculture
Environmental Protection
Natural Resources
Public Safety, Vice Chair
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Klein, Jarad

Administration and Rules, Vice Chair
Agriculture
Environmental Protection
Labor
Public Safety

Koester, Kevin

Education
Environmental Protection

Human Resources
Judiciary
State Government, Vice Chair

Kressig, Bob M.
Commerce
Environmental Protection
Local Government
Public Safety
Economic Development Appropriations Subcommittee

Kurth, Monica
Environmental Protection
Local Government
Public Safety
Ways and Means
Education Appropriations Subcommittee

Landon, John
Appropriations
Commerce
Local Government
Transportation
Administration and Regulation Appropriations Subcommittee, Chair

Lensing, Vicki S.
Environmental Protection
Government Oversight
Judiciary
Local Government
State Government

Lundgren, Shannon
Commerce
Economic Growth, Vice Chair
Ethics
Human Resources
Health and Human Services Appropriations Subcommittee

Mascher, Mary
Education
Human Resources
State Government, Ranking Member
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Maxwell, David E.
Agriculture
Natural Resources
Transportation, Vice Chair
Ways and Means
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

McConkey, Charlie

Commerce
Economic Growth
Labor
Ways and Means
Education Appropriations Subcommittee

McKean, Andy

Economic Growth
Environmental Protection, Vice Chair
Judiciary
Local Government
Economic Development Appropriations Subcommittee

Meyer, Brian

Administration and Rules
Commerce
Judiciary
Local Government
Veterans Affairs

Miller, Helen

Administration and Rules
Agriculture
Economic Growth
Natural Resources
Veterans Affairs

Miller, Phil

Agriculture
Education
Transportation
Education Appropriations Subcommittee

Mohr, Gary M.

Commerce, Vice Chair
Economic Growth
Transportation
Ways and Means
Education Appropriations Subcommittee

Mommsen, Norlin

Agriculture
Appropriations
Education
Natural Resources
Agriculture and Natural Resources Appropriations Subcommittee, Chair

Moore, Tom

Education
Environmental Protection
Human Resources

State Government
Education Appropriations Subcommittee, Vice Chair

Nielsen, Amy
Education
Local Government
Natural Resources, Ranking Member
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Nunn, Zach
Administration and Rules
Economic Growth
Judiciary
Ways and Means

Oldson, Jo
Appropriations
Commerce, Ranking Member
Judiciary
State Government

Olson, Rick
Judiciary
Public Safety
Transportation

Ourth, Scott D.
Agriculture
Commerce
Natural Resources
Transportation
Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member

Paustian, Ross
Agriculture
Environmental Protection, Chair
Judiciary
Agriculture and Natural Resources Appropriations Subcommittee

Pettengill, Dawn E.
Commerce
Government Oversight
State Government
Ways and Means

Prichard, Todd
Agriculture, Ranking Member
Natural Resources
Veterans Affairs
Ways and Means
Agriculture and Natural Resources Appropriations Subcommittee

Rizer, Ken

Environmental Protection
Judiciary
State Government, Chair
Ways and Means

Rogers, Walt

Appropriations
Education, Chair
Environmental Protection
Education Appropriations Subcommittee

Running-Marquardt, Kirsten

Appropriations
Economic Growth
Labor
Economic Development Appropriations Subcommittee, Ranking Member

Salmon, Sandy

Education
Human Resources
Public Safety
Veterans Affairs, Vice Chair

Sexton, Mike

Administration and Rules, Chair
Agriculture
Appropriations
Natural Resources
State Government

Sheets, Larry

Labor, Vice Chair
Local Government
Public Safety
Administration and Regulation Appropriations Subcommittee

Sieck, David

Agriculture
Economic Growth
Transportation
Ways and Means
Justice System Appropriations Subcommittee, Vice Chair

Smith, Mark D.

Administration and Rules

Smith, Ras

Education
Judiciary
State Government
Transportation
Transportation, Infrastructure, and Capitals Appropriations Subcommittee

Staed, Art

Education

Local Government, Ranking Member

Veterans Affairs

Economic Development Appropriations Subcommittee

Steckman, Sharon S.

Education, Ranking Member

Environmental Protection

Natural Resources

State Government

Agriculture and Natural Resources Appropriations Subcommittee

Taylor, Rob

Appropriations

Ethics, Chair

Human Resources

Transportation

Health and Human Services Appropriations Subcommittee, Vice Chair

Taylor, Todd E.

Appropriations

Labor

State Government

Administration and Regulation Appropriations Subcommittee

Thede, Phyllis

Appropriations

Ethics, Ranking Member

Government Oversight

Local Government

Natural Resources

Upmeyer, Linda L.

Administration and Rules

Vander Linden, Guy

Commerce

Ways and Means, Chair

Watts, Ralph C.

Commerce

Labor

State Government

Veterans Affairs

Wessel-Kroeschell, Beth

Human Resources, Ranking Member

Judiciary

Public Safety

Health and Human Services Appropriations Subcommittee

Wheeler, Skyler

Education

Environmental Protection

Labor

Public Safety

Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Vice Chair

Wills, John H.

Administration and Rules

Agriculture

Commerce

Natural Resources

Transportation

Winckler, Cindy L.

Appropriations

Environmental Protection

State Government

Education Appropriations Subcommittee, Ranking Member

Windschitl, Matt W.

Administration and Rules

Government Oversight

Judiciary

Ways and Means

Wolfe, Mary

Administration and Rules

Government Oversight

Judiciary, Ranking Member

Local Government

Ways and Means

Worthan, Gary

Appropriations

Labor

Public Safety

Transportation

Justice System Appropriations Subcommittee, Chair

Zumbach, Louis J.

Agriculture

Natural Resources

State Government

Veterans Affairs

Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

ASSOCIATION OF IOWA FAIRS

Economic Impact and Statistic Reports, pursuant to Iowa Code section 174.10.

ASSOCIATION OF SCHOOL BOARDS

Annual Financial Report, pursuant to Iowa Code section 12B.10A.

AUDITOR OF STATE

County Attorney Collections Report, pursuant to Chapter 1119.7, 2016 Iowa Acts.

BOARD OF EDUCATIONAL EXAMINERS

Detailed Financial Licensing Fees Report, pursuant to Iowa Code section 272.10.

Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

BOARD OF PAROLE

Objectives or Agency Annual Report, pursuant to Iowa Code section 7E.3.

BOARD OF REGENTS

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 262.9.

Postsecondary Enrollment Program Annual Report, pursuant to Iowa Code section 262.9.

Cooperative Purchasing Plan Report, pursuant to Iowa Code section 262.9B.

Local Food and Farm Program Report, pursuant to Iowa Code section 267A.7.

Iran Divestment Report, pursuant to Iowa Code section 12H.5.

Sudan Divestment Report, pursuant to Iowa Code section 12F.5.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Continuous Improvement Plan Report, pursuant to Iowa Code section 262.9.

Transfer of Funds Regional Study Centers Report, pursuant to Iowa Code section 262.28.

Use of Medical Cannabidiol UI Carver College of Medicine and UI College of Pharmacy Report, pursuant to Chapter 1125.10, 2014 Iowa Acts.

Annual Articulation Report, pursuant to Iowa Code section 262.9.

College Bound and IMAGES Report, pursuant to Iowa Code section 262.93.

Center for Health Effects of Environmental Contamination Report, pursuant to Iowa Code section 263.17.

CHIEF INFORMATION OFFICER

Information Technology Services Financial Report, pursuant to Iowa Code section 8B.21.

Annual Report, pursuant to Iowa Code section 8B.6.

LowAccess Revolving Fund Report, pursuant to Iowa Code section 8B.33.

Salary Report, pursuant to Iowa Code section 8A.341.

COLLEGE STUDENT AID COMMISSION

Skilled Workforce Shortage Tuition Grant Program Report, pursuant to Iowa Code section 261.130.

Tuition Grant Report, pursuant to Iowa Code section 261.15.

Barber and Cosmetology Arts and Sciences Tuition Grant Program Report, pursuant to Iowa Code section 261.18.

Vocational-Technical Tuition Grant Program Report, pursuant to Iowa Code section 261.17.

Scholarship and Tuition Grant Reserve Fund Report, pursuant to Iowa Code section 261.20.

Registered Nurse and Nurse Educator Loan Forgiveness Program Report, pursuant to Iowa Code section 261.116.

Minority Academic Grants for Economic Success Program Report, pursuant to Iowa Code section 261.104.

Teacher Shortage Loan Forgiveness Program Report, pursuant to Iowa Code section 261.112.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 261.9.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Judicial Review Report, pursuant to Iowa Code section 625.29.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Annual Report, pursuant to Iowa Code section 261.2(8).

COMPREHENSIVE PETROLEUM UNDERGROUND
STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Internal Service Fund Expenditure Report, pursuant to Iowa Code section 8A.123.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Condition of Affirmative Action, Diversity, and Multicultural Programs Report, pursuant to Iowa Code section 19B.5.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Experimental Research Report, pursuant to Iowa Code section 8A.414.

Solicitations for Capitol Complex Report, pursuant to Iowa Code section 8A.108.

Judicial Review Report, pursuant to Iowa Code section 625.29.

Comprehensive Annual Financial Report, pursuant to Iowa Code section 8A.502.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

DEPARTMENT OF COMMERCE
Banking Division

Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

Superintendent of Banking Report, pursuant to Iowa Code section 524.216.

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Insurance Division

Medical Malpractice Insurance Report, pursuant to Iowa Code section 505.27.

Cemetery and Funeral Report, pursuant to Iowa Code section 523A.801.

Cemetery Act Report, pursuant to Iowa Code section 523I.201.

Health Spending Costs Report, pursuant to Iowa Code section 505.18.

Utilities Division

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Small Wind Innovation Zone Report, pursuant to Iowa Code section 476.48.

DEPARTMENT OF CORRECTIONS

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Interstate Compact for Adult Offender Supervision Report, pursuant to Iowa Code section 907B.2.

Annual Report, pursuant to Iowa Code section 904.115.

DEPARTMENT OF EDUCATION

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15.

Interstate Compact on Education of Military Children Report, pursuant to Iowa Code section 256H.1(10).

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 261.9.

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10.

Iowa Autism Council Report, pursuant to Iowa Code section 256.35A.

Computer Science Education Work Group Report, pursuant to Chapter 106.4, 2017 Iowa Acts.

Special Education Federal Reports, pursuant to Iowa Code section 256B.3.

Child Development Coordinating Council Report, pursuant to Iowa Code section 256.A.3.

Home Base Postsecondary Education Report, pursuant to Iowa Code sections 260C.14, 261.9 and 262.9.

English Language Learner Report, pursuant to Iowa Code section 256.9.

Student Achievement, Accountability, and Professional Development Report, pursuant to Iowa Code section 284.12.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

DEPARTMENT OF HUMAN RIGHTS

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Family Development and Self-Sufficiency Grant Program Report, pursuant to Iowa Code section 216A.107.

Sex Offender Research Council Report, pursuant to Iowa Code section 216A.139.

Individual Development Accounts Report, pursuant to Chapter 143.9, 2013 Iowa Acts.

Annual Report, pursuant to Iowa Code section 216A.2.

Twenty-year and Five-year Criminal and Juvenile Justice Plan Report, pursuant to Iowa Code section 216A.135.

Public Safety Advisory Board Report, pursuant to Iowa Code section 216A.133A.

Community Action Agencies Report, pursuant to Iowa Code section 216A.92.

Criminal and Juvenile Justice Planning Advisory Council Legislation Monitoring Report, pursuant to Iowa Code section 476.66.

Correctional Policy Project Plans and Findings Report, pursuant to Iowa Code section 216A.137.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Judicial Review Report, pursuant to Iowa Code section 625.29.

DEPARTMENT OF HUMAN SERVICES

Medicaid Managed Care Oversight Report, pursuant to Chapter 1139.94, 2016 Iowa Acts.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Individual Assistance Grant Program Report, pursuant to Iowa Code section 29C.20A.

Family Support Subsidy and Children at Home Program Report, pursuant to Iowa Code section 225C.42.

Drug Utilization Report, pursuant to Iowa Code section 249A.24.

Mental Health, Disability, and Substance Use Disorder Services Workgroup Report, pursuant to Chapter 109.17, 2017 Iowa Acts.

Step Therapy Protocol and Application Review Report, pursuant to Chapter 174.12, 2017 Iowa Acts.

Non-State Government-Owned Nursing Facility Upper Payment Limit Supplemental Payment Program Report, pursuant to Chapter 1139.82, 2016 Iowa Acts.

Direct Care Worker in Nursing Facilities Turnover Report, pursuant to Chapter 1188.71, 2008 Iowa Acts.

Pilot Programs Review Process Report, pursuant to Chapter 24.2, 2017 Iowa Acts.

Progress on Contracting with a Third-Party Vendor Report, pursuant to Chapter 24.1, 2017 Iowa Acts.

Review of Private Sector Alternatives to Perform Criminal Background Checks Report, pursuant to Chapter 174.86, 2017 Iowa Acts.

Access to Dementia-Specific Care Report, pursuant to Chapter 174.97, 2017 Iowa Acts.

Mercy Autism Center-Spectrum Disorder Report, pursuant to Chapter 137.133, 2015 Iowa Acts.

Autism Support Program Fund Report, pursuant to Iowa Code section 225D.2.

Hawk-I Report, pursuant to Iowa Code section 514I.5.

Mental Health Services for Children and Youth Report, pursuant to Iowa Code section 225C.54.

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13.

DEPARTMENT OF INSPECTION AND APPEALS

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Access to Dementia-Specific Care Report, pursuant to Chapter 174.97, 2017 Iowa Acts.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

DEPARTMENT OF MANAGEMENT

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Standing Appropriations Report, pursuant to Iowa Code section 8.6.

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9.

Tort Claims Report, pursuant to Iowa Code section 669.12.

DEPARTMENT OF NATURAL RESOURCES

Greenhouse Gas Emissions Report, pursuant to Iowa Code section 455B.104.

Compliance with Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134.

Homebased Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

Lake Restoration Report, pursuant to Iowa Code section 456A.33B.

Hazardous Waste/Substance Disposal Report, pursuant to Iowa Code section 455B.427.

Environmental Protection Commission Report, pursuant to Iowa Code section 455B.105.

Groundwater Protection Report, pursuant to Iowa Code section 455B.263.

Hazardous Substance Remedial Fund Report, pursuant to Iowa Code section 455B.425.

Household Hazardous Waste Account Report, pursuant to Iowa Code section 455E.11.

DEPARTMENT OF PUBLIC DEFENSE

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Projects Funded by the Department of Public Defense Report, pursuant to Chapter 173.1, 2017 Iowa Acts.

DEPARTMENT OF PUBLIC HEALTH

Child Death Review Team Report, pursuant to Iowa Code section 135.43.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Access to Dementia-Specific Care Report, pursuant to Chapter 174.97, 2017 Iowa Acts.

Homebased Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

Tobacco Use Prevention and Control Report, pursuant to Iowa Code section 142A.4.

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150.

Patient-Centered Health Advisory Council Report, pursuant to Chapter 148.10, 2017 Iowa Acts.

Behavior Analyst and Assistant Behavior Analyst Grants Program Report, Pursuant to Iowa Code section 135.181.

Funds Transfer Report, pursuant to Chapter 174.3, 2017 Iowa Acts.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Judicial Review Report, pursuant to Iowa Code section 625.29.

Obstetrical Care in Iowa Report, pursuant to Iowa Code section 135.11.

Activities of the Medical Cannabidiol Board Report, pursuant to Iowa Code section 124E.4A.

Recommendations from the Medical Cannabidiol Board Report, pursuant to Iowa Code section 124E.4A.

Anatomical Gift Public Awareness Donation and Compliance Report, pursuant to Iowa Code section 142C.17.

DEPARTMENT OF PUBLIC SAFETY

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Homebased Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

Review of Private Sector Alternatives to Perform Criminal Background Checks Report, pursuant to Chapter 174.86, 2017 Iowa Acts.

Human Trafficking Report, pursuant to Iowa Code section 80.45.

Statewide Interoperable Communications System Board Report, pursuant to Iowa Code section 80.29.

DCI Report of Activities at Racetrack Enclosures, pursuant to Iowa Code section 99D.14.

DEPARTMENT OF REVENUE

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Central Collections Unit Debt Collection Report, pursuant to Iowa Code section 421.17.

Iowa Collection Enterprise Report, pursuant to Iowa Code section 421.17.

Assessor Continuing Education Study Report, pursuant to Chapter 151.27, 2017 Iowa Acts.

Nonfilers of Returns, Nonpayers of Taxes, and Refund Fraud Report, pursuant to Iowa Code section 421.17.

Judicial Review Report, pursuant to Iowa Code section 625.29.

Solar Energy System Tax Credits Report, pursuant to Iowa Code section 422.11L.

DEPARTMENT OF TRANSPORTATION

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Highway Improvement Program and Sufficiency Rating Report, pursuant to Iowa Code section 307A.2.

Living Roadway Trust Fund Report, pursuant to Iowa Code section 314.21.

Rail/Highway Grade Crossing Warning Devices Signals, and Signs Report, pursuant to Iowa Code section 307.26.

Integrated Roadside Vegetation Management Committee Report, pursuant to Iowa Code section 314.22.

Annual Report, pursuant to Iowa Code section 7A.9.

Nature and Scope of Enforcement Activities by Peace Officers Report, pursuant to Iowa Code section 321.477.

Road Use Tax Fund Efficiency Measures Report, pursuant to Chapter 1123.21, 2014 Iowa Acts.

DEPARTMENT OF VETERANS AFFAIRS

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

County Allocation Fund Report, pursuant to Iowa Code section 35A.5.

DEPARTMENT ON AGING

Substitute Decision Maker's Report, pursuant to Iowa Code section 231E.4.

Access to Dementia-Specific Care Report, pursuant to Chapter 174.97, 2017 Iowa Acts.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

ECONOMIC DEVELOPMENT AUTHORITY

Commission on Volunteer Services Report, pursuant to Iowa Code section 15H.2.

ETHICS AND CAMPAIGN DISCLOSURE BOARD

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

FIRE AND POLICE RETIREMENT SYSTEM BOARD OF TRUSTEES

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5.

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5.

GOVERNOR'S OFFICE OF DRUG CONTROL POLICY

Drug Control Strategy Report, pursuant to Iowa Code section 80E.1.

HIGHER EDUCATION LOAN AUTHORITY

Annual Report, pursuant to Iowa Code section 261A.21.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5.

Comprehensive Annual Financial Report, pursuant to Iowa Code section 97B.4.

JUDICIAL BRANCH

Court Debt Report, pursuant to Iowa Code section 602.8107.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

New Policies and Procedures for Court Administration Report, pursuant to Chapter 166.14, 2017 Iowa Acts.

Retirement Fund Valuation Report, pursuant to Iowa Code section 602.9116.

LAW ENFORCEMENT ACADEMY

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Judicial Review Report, pursuant to Iowa Code section 625.29.

LOTTERY AUTHORITY

Government Oversight Report, pursuant to Iowa Code section 99G.7.

Quarterly Report, pursuant to Iowa Code section 99G.7.

Annual Report, pursuant to Iowa Code section 99G.7.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Annual Report, pursuant to Iowa Code section 411.5.

OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

PROPANE EDUCATION AND RESEARCH COUNCIL

Programs and Projects Report, pursuant to Iowa Code section 101C.11.

Audit Report, pursuant to Iowa Code section 101C.3.

PUBLIC DEFENDER

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Judicial Review Report, pursuant to Iowa Code section 625.29.

Indigent Defense System Report, pursuant to Iowa Code section 13B.2A.

PUBLIC EMPLOYMENT RELATIONS BOARD

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Judicial Review Report, pursuant to Iowa Code section 625.29.

PUBLIC INFORMATION BOARD

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

PUBLIC TELEVISION

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Judicial Review Report, pursuant to Iowa Code section 625.29.

SECRETARY OF STATE

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

TREASURER OF STATE

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5.

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5.

Educational Savings Plan Trust Report, pursuant to Iowa Code section 12D.8.

Tobacco Settlement Authority Annual Report, pursuant to Iowa Code section 12E.15.

ABLE Savings Trust Financial Report, pursuant to Iowa Code section 12I.7.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5.

VETERANS HOME

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Judicial Review Report, pursuant to Iowa Code section 625.29.

On motion by Hagenow of Polk, the House adjourned at 3:33 p.m., until 8:30 a.m., Tuesday, January 9, 2018.

JOURNAL OF THE HOUSE

Second Calendar Day - Second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 9, 2018

The House met pursuant to adjournment at 8:29 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Wayne Bahr, Pastor of Little Sioux and Mondamin Church of Christ Churches. He was the guest of Windschitl of Harrison.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Braden Bean, Page from Atlantic.

The Journal of Monday, January 8, 2018, was approved.

SUPPLEMENTAL REPORT OF COMMITTEE ON MILEAGE

Madam Speaker: Your committee appointed to determine the mileage for the members of the House submits the following supplemental:

Name	Round Trip Miles
Jon A. Jacobsen	258
Philip D. Miller	228

Respectfully submitted,
Norlin G. Mommsen, Chair
Kristi M. Hager
Bruce Bearinger

Mommsen of Clinton moved that the supplemental report of the committee on mileage be accepted.

The motion prevailed and the supplemental report was accepted.

SUPPLEMENTAL REPORT OF
COMMITTEE ON ADMINISTRATION AND RULES

January 8, 2018

To: Administration & Rules Committee
From: Carmine Boal, Chief Clerk

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade- Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Sr. Admin. Asst. to Ldr. I	Jake D. Friedrichsen	38-4 to 38-5	P-FT	06-30-17
Leg. Res. Analyst	Brian E. Guillaume	27-3 to 29-3	P-FT	06-30-17
Leg. Res. Analyst I				
Caucus Secretary	Kelsey A. Thien	21-3+1 to 24-3	P-FT	06-30-17
Sr. Caucus Secretary				
Sr. Admin. Asst. to Ldr. I	Matthew J. Gronewald	38-6	P-FT	09-11-17
Leg. Res. Analyst I	Brittany L. Lumley	29-4 to 32-3	P-FT	09-22-17
Leg. Res. Analyst II				
Leg. Res. Analyst II	Carrie L. Malone	32-3 to 32-4	P-FT	09-22-17
Confidential Sec. to Ldr.	Elizabeth A. Oller	27-3+1 to 29-5	P-FT	09-22-17
Admin. Asst. I to Ldr.				
Admin. Asst. I to Spkr.	Colin M. Tadlock	29-6 to 29-7	P-FT	09-22-17
Finance Officer I	Phyllis J. Pierce	24-5	P-FT	09-25-17
Leg. Res. Analyst	Benjamin M. Gentz	27-4	P-FT	11-13-17
Sr. Admin. Asst. to Spkr. I	Anthony D. Phillips	38-8 to 41-7	P-FT	11-17-17
Sr. Admin. Asst. to Spkr. II				
Admin. Asst. to Ldr.	Joseph M. Earle	27-2	P-FT	11-20-17
Leg. Res. Analyst III	Jason M. Chapman	35-6 to 38-5	P-FT	12-01-17
Sr. Leg. Res. Analyst				
Sr. Leg. Res. Analyst	William T.D. Freeland	38-3 to 38-4	P-FT	12-01-17
Sr. Leg. Res. Analyst	Ezekiel L. Furlong	38-5 to 38-6	P-FT	12-01-17
Leg. Res. Analyst II	Joseph M. Gilde	32-4 to 32-5	P-FT	12-01-17
Leg. Res. Analyst	Natalie B. Ginty	29-6	P-FT	12-01-17
Leg. Res. Analyst III	Rachelle D. Thomas	35-3 to 38-2	P-FT	12-01-17
Sr. Leg. Res. Analyst				
Leg. Res. Analyst	Logan J. Murray	27-4	P-FT	12-04-17
Leg. Res. Analyst II	Kristi L. Kious	32-7 to 35-6	P-FT	12-15-17
Leg. Res. Analyst III				

<u>Position</u>	<u>Name</u>	<u>Grade- and Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Confidential Sec. to Spkr.	Terri P. Steinke	27-5 to 27-6	P-FT	12-15-17
Leg. Res. Analyst II	Amanda J. Wille	32-5 to 32-6+1	P-FT	12-15-17
Admin. Services Officer	Helen P. Simms	23-1	E-FT	12-17-17
Sr. Caucus Secretary	Kelsey A. Thien	24-3 to 27-5	P-FT	12-18-17
Leg. Res. Analyst Caucus Secretary	Ashley A. Beall	21-7 to 21-8	P-FT	12-29-17
Admin. Services Officer I	Robin L. Bennett	26-6	P-FT	12-19-17
Admin. Services Officer II		29-4		
Admin. Services Officer II	Molly M. Dolan	29-1 to 29-2	P-FT	12-29-17
Assistant Chief Clerk II	Meghan JVW Nelson	35-7 to 38-6	P-FT	12-29-17
Assistant Chief Clerk III		35-6 to 35-7	P-FT	12-29-17
Sr. Admin. Services Officer	Kristin L. Wentz			
Caucus Secretary	Jessica L. Flannery	21-3	P-FT	01-02-18
Asst. Sergeant-At-Arms	Stephen J. Balderson	14-3 to 17-2	S-O	01-08-18
Sergeant-At-Arms I		11-2 to 14-1	S-O	01-08-18
Doorkeeper	Wayne W. Gieselmann			
Asst. Sergeant-At-Arms		11-1	S-O	01-08-18
Doorkeeper	Georgann R. Smith	11-3 to 12-3	S-O	01-08-18
Doorkeeper	Alvin L. Thrasher			
Chief Doorkeeper		11-1	S-O	01-08-18
Doorkeeper	Dennis N. Walsh	17-1	S-O	01-08-18
Legislative Comm. Sec.	Megan C. Adam	16-3 to 16-4	S-O	01-08-18
Legislative Secretary	Mary Ann Ahrens			
Legislative Comm. Sec.	Samantha Betz	18-1	S-O	01-08-18
Legislative Secretary	Barrett J. Bierschenk	16-1	S-O	01-08-18
Legislative Secretary	David L. Blom	16-1	S-O	01-08-18
Legislative Secretary	Morgan R. Bonwell	16-1	S-O	01-08-18
Legislative Secretary	John J. Callahan	16-1	S-O	01-08-18
Legislative Secretary	Megan I. Card	16-1	S-O	01-08-18
Legislative Secretary	Eileen M. Creager	15-1	S-O	01-08-18
Legislative Comm. Sec.	Anna E. Determann	17-2 to 16-2	S-O	01-08-18
Legislative Secretary				
Legislative Secretary	Laura N. Engel	15-1 to 16-1	S-O	01-08-18
Legislative Secretary	Susan R. Foster	16-2 to 17-2	S-O	01-08-18
Legislative Secretary	Alex R. Freeman	16-2 to 17-2	S-O	01-08-18
Legislative Comm. Sec.	Lydia C. Hall	17-1	S-O	01-08-18
Legislative Secretary	Angie J. Heartsill	17-1	S-O	01-08-18
Legislative Secretary	Zachary D. Heater	16-1	S-O	01-08-18

<u>Position</u>	<u>Name</u>	<u>Grade- and Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Legislative Comm. Sec.	John M. Hirl	17-1	S-O	01-08-18
Legislative Secretary	Robert V. Hogg	17-1	S-O	01-08-18
Legislative Secretary	Willow N. Huber	15-1	S-O	01-08-18
Legislative Secretary	Katie M. Jerome	15-1	S-O	01-08-18
Legislative Secretary	Madison L. Kearns	16-1	S-O	01-08-18
Legislative Secretary	Mariah E. Keech	16-1	S-O	01-08-18
Legislative Comm. Sec.	Connor L. Krajicek	17-1	S-O	01-08-18
Legislative Secretary	Tessa M. Lengeling	15-1	S-O	01-08-18
Legislative Secretary	Sydney M. Lundgren	16-1 to 17-7	S-O	01-08-18
Legislative Secretary	Isaac Medina	15-1	S-O	01-08-18
Legislative Secretary	Connie J. Miller	15-1	S-O	01-08-18
Legislative Secretary	Emily M. Miller	16-1	S-O	01-08-18
Legislative Secretary	Nick W. Miller	17-1	S-O	01-08-18
Legislative Secretary	Cole B. Moody	16-1	S-O	01-08-18
Legislative Secretary	Isobel F. Osius	16-3	S-O	01-08-18
Legislative Secretary	Peyton R. Parker	16-1	S-O	01-08-18
Legislative Secretary	Allie Paulson	16-1	S-O	01-08-18
Legislative Comm. Sec.	Andrew J. Phaff	17-1	S-O	01-08-18
Legislative Secretary	Stephanie A. Philipps	15-1	S-O	01-08-18
Legislative Secretary	Liam M. Ruff	16-1	S-O	01-08-18
Legislative Secretary	Kyle W. Savage	16-1	S-O	01-08-18
Legislative Secretary	Joseph Sienkiewicz	16-1	S-O	01-08-18
Legislative Secretary	Katherine J. Simpson	17-1	S-O	01-08-18
Legislative Secretary	Sidney Snyder	16-1	S-O	01-08-18
Legislative Secretary	Susan Staed	16-2	S-O	01-08-18
Legislative Secretary	Daniel P. Stalder	16-1	S-O	01-08-18
Legislative Secretary	Samantha Stearns	16-1	S-O	01-08-18
Legislative Secretary	John J. Steger	16-1	S-O	01-08-18
Legislative Secretary	Susan L. Wengert	16-2 to 15-2	S-O	01-08-18
Legislative Comm. Sec.	Devon G. Wood	17-2 17-8	S-O	01-08-18
Legislative Comm. Sec.	Carla J. Wood	17-2 to 18-8	S-O	01-08-18
Legislative Secretary	Grant Zajicek	16-1	S-O	01-08-18

PAGES

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Chief Clerk's Page	Claire L. Terhaar	9-1	S-O
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Page	Hannah G. Brown	9-1	S-O
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Page	Jenna E. Nelson	9-1	S-O
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Page	Giorgio A. Rossi	9-1	S-O
Page	Bailey R. Veatch	9-1	S-O

The following are resignations from the officers and employees of the House:

Recording Clerk II	Diane K. Burget	06-30-17
Sr. Finance Officer III	Debra K. Rex	07-07-17
Admin. Asst. I to Ldr.	Zachary C. Dalluge	08-10-17
Leg. Res. Analyst II	Brittany L. Lumley	10-20-17
Leg. Res. Analyst II	Carrie L. Malone	11-09-17
Admin. Asst. I to Ldr.	Elizabeth A. Oller	11-17-17
Leg. Res. Analyst	Mackenzie J. Nading	12-01-17
Sr. Leg. Res. Analyst	Ezekiel L. Furlong	12-15-17

January 8, 2018

To: Administration & Rules Committee
 From: Carmine Boal, Chief Clerk

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

<u>Position</u>	<u>Name</u>	<u>Grade- and Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Leg. Security Officer II	David W. Garrison	23-5 to 23-6	P-FT	05-19-17
Leg. Security Officer I	Randy H. Marchant	20-3 to 20-4	P-FT	05-19-17
Leg. Security Officer I	Gerald L. McCurdy, Jr.	20-6 to 20-7	P-FT	06-16-17
Leg. Security Officer I	Timothy P. Knapp	20-4 to 20-5	P-FT	06-30-17
Leg. Security Officer I	Curt L. Henderson	20-2 to 20-3	P-FT	06-30-17
Leg. Security Officer I	Jody W. Elliott	20-2 to 20-3	P-FT	07-28-17
Conserv/Restor. Spec. II	Arthur A. McBride IV	31-4 to 31-5	P-FT	09-22-17
Conserv/Restor. Spec. II	Zachary L. Bunkers	31-8 to 35-6	P-FT	12-01-17
Facilities Manager I				
Leg. Security Officer I	James A. Eyberg	23-1	P-FT	01-04-18

The following are resignations from the Joint officers and employees:

Leg. Security Officer I	Erin Krei	05-10-17
Leg. Security Officer I	Barbara A. Malone	12-27-17

January 8, 2018

To: Administration & Rules Committee
 From: Carmine Boal, Chief

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade- and Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Legislative Secretary	Robert E. Davis	16-2 to 16-3	S-O	01-12-18
Legislative Comm. Sec.	Michelle Halverson-Haupts	17-2 to 17-3	S-O	01-12-18
Legislative Secretary	Annabelle M. Mack	16-2 to 16-3	S-O	01-12-18

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

<u>Position</u>	<u>Name</u>	<u>Grade- and Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Dir. of Human Services	Kathryn A. Murphy	35-7	P-FT	01-22-18

Sexton of Calhoun moved that the supplemental report of the committee on Administration and Rules be accepted.

The motion prevailed and the supplemental report was adopted.

COMMITTEE TO NOTIFY THE SENATE

Moore of Cass moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Moore of Cass, Chair; Rogers of Black Hawk and Staed of Linn.

The House stood at ease at 8:33 a.m., until the fall of the gavel.

The House resumed session at 9:52 a.m., Speaker Upmeyer in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Moore of Cass, Chair of the committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that the committee had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the Honorable members of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 101, duly adopted, the Joint Convention was called to order at 9:55 a.m., President Whitver presiding.

Senator Dix of Butler moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present, which motion prevailed.

President Whitver announced a quorum present and the Joint Convention duly organized.

Senator Dix of Butler moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to notify Governor Kim Reynolds that the Joint Convention was ready to receive her.

The motion prevailed and the President appointed as such committee Senators Schneider of Dallas, C. Johnson of Buchanan and Allen of Jasper on the part of the Senate, and Representatives Hinson of Linn, Lundgren of Dubuque and P. Miller of Jefferson, on the part of the House.

Secretary of Agriculture and Land Stewardship, Bill Northey; State Auditor, Mary Mosiman; and Attorney General, Tom Miller were escorted into the House chamber.

The Supreme Court Justice, the Justices of the Supreme Court, the Chief Judge and Judges of the Appellate Court were escorted into the House chamber.

Lieutenant Governor Adam Gregg, his wife Cari, son Jackson and daughter Lauren Gregg, and parents Larry and Carol Gregg were escorted into the House chamber.

First Gentleman Kevin Reynolds, daughter Jen, Jason and Averie Fagan, daughter Nicole Springer, brother Doug Strawn, and parents Charles and Audrey Strawn were escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her to the Speaker's station.

President Whitver presented Governor Kim Reynolds, who delivered the following condition of the state message:

GOVERNOR'S CONDITION OF THE STATE MESSAGE

Lieutenant Governor, Mr. President, Madam Speaker, legislative leaders, Senators and Representatives, justices and judges, elected officials, distinguished guests, family, friends, and my fellow Iowans.

It is an honor to be here today, as your 43rd governor and to deliver my first Condition of the State Address.

What a country and state we live in, where a small town girl from rural Iowa can become governor and have the opportunity to serve Iowans at the highest level.

I hope that can be an inspiration to every waitress, every grocery checker, every overworked and stressed out mom, and the little girls who dare to dream: In Iowa, if you're willing to work for it, those dreams can come true.

I want to begin by taking a moment to recognize the heroes among us, the brave men and women serving in the military, law enforcement, and as first responders, on behalf of Iowans we extend our deepest gratitude for your sacrifice and service.

I also want to recognize with shared sadness, those who are not with us this year: Representative Greg Foristall, Representative Curt Hanson, former Senate Majority Leader Cal Hultman, former Speaker of the House Don Avenson, and former Lieutenant Governor Joy Corning. These were dedicated public servants and effective leaders who cared about their constituents and made a difference for the people of Iowa.

Today, I'm proud to report to the people of Iowa and their Representatives, that, because our ability to dream is infinite and the will of our people is great, the condition of our state is strong.

Iowa is ranked 3rd best-managed state in America, and the number one state for middle class families.

Our graduation rate is the highest in the nation, while unemployment is one of the lowest.

These successes are not by accident. Thanks to the strong leadership of this legislature, last year was the most pro-jobs session in decades!

But mostly, the success of our state has come from our people: hard-working and disciplined; innovative and driven.

The condition of our state is strong because Iowans are discovering and unleashing opportunities in our schools, on factory floors, on main streets, and around kitchen tables.

In 2017, I was proud to work with this Legislature to move our state forward. So let me take a moment to highlight what we have accomplished together.

We balanced the state budget, protecting taxpayers while safeguarding important priorities like education.

We invested in our kids at a record level, committing \$735 million more for education since 2011.

We prepared our students for the jobs of tomorrow, through work-based learning, pre-apprenticeship and computer science programs.

We reformed collective bargaining and worker's compensation laws, putting more power in the hands of local governments and school districts, small businesses, and taxpayers.

We protected the ballot box with new voter ID laws.

We protected life, standing up for the most vulnerable by prohibiting late-term abortions. And we will never stop working to protect the unborn.

We restored liberties, by strengthening our 2nd amendment rights, and defended taxpayers against costly project labor agreements

We fought for Iowa farmers and a robust Renewable Fuel Standard, and we won!

And, I'm proud to report the Iowa Energy Plan is delivering action, by continuing to lead the nation in innovative energy ideas.

But, there is still unfinished business.

Improving water quality is a shared goal of Iowans. Urban and rural stakeholders have worked collaboratively making great strides.

My hope is that a water quality bill is the first piece of legislation I sign as Governor.

Let me assure you, passage of this monumental legislation does not mean the water quality discussion is over; rather it ignites the conversation to implement and scale practices that will continue to make an impact on water quality.

As we look back at 2017, it's clear we have much to be proud of. But now is the time to look forward.

My vision for the future is an Iowa overflowing with opportunity—opportunity for our working families, young people, and our communities, both rural and urban.

A place where it doesn't matter if you're rich or poor, young or old, male or female.

Where your last name and zip code aren't nearly as important as your ability to dream and willingness to reach for it.

A place where, if life got in the way of those dreams, you can find a second start.

And if you've made mistakes, you can find a second chance.

Because opportunity means everyone has a chance to succeed.

It doesn't mean government picking winners and losers, or waiting for government to fix every problem.

It means, when we face challenges, we do what Iowans have always done: roll up our sleeves and get to work.

While there are many issues to discuss today, I want to pause for a moment and talk about something that has captured the attention of the entire nation.

Throughout history, sexual harassment has been a stain on our culture, a destructive force—in politics, media and entertainment, in workplaces large and small—in all facets of life. And it must stop.

I commend the number of women who have found the courage to speak out.

As a woman, a mother of three girls, a grandmother, wife, sister, and daughter, I understand we're at an unprecedented moment in time.

I also understand that this is not a partisan issue. It can't be fixed by legislation or rule-making alone.

You cannot legislate kindness or respect or morality. They must be taught. And that means the solution starts with every individual, man or woman. It's about showing respect to others. It's about character and decency. And it's about changing the culture once and for all.

All of us in public office must ensure not only a safe workplace but serve as a model for the public and private sector.

What we do here matters. Iowans are watching. We can't change behavior everywhere, but we have an obligation to lead and, as long as I am Governor, we're going to.

Iowans are good people. They're humble people. And no matter our differences on policy and politics, we must always strive to reflect the goodness of those we represent.

It is the people of Iowa who make this job what it is, and I love waking up every day with the opportunity to make a difference.

And while I love our capital city and everything it offers, I believe the heart, soul, and spirit of Iowa will always remain in our small towns and rural communities.

From Decorah to Manning, LeMars to Mt. Pleasant and everywhere in between, we are defined as Iowans who dream big in these small places.

Like many of you, I grew up in one of those small towns and when I go home, I hear the disappointment and I share the frustration when another storefront closes. I appreciate the hard work taking place by community leaders to keep our main streets alive and vibrant.

Our downtowns are the backdrop for memories and the foundation for future success stories. Their buildings, businesses and people have character, and they are the hubs for economic growth.

Our work ethic is our currency and people all over Iowa are ready to invest this valuable resource in their communities.

So today I'm announcing a new initiative that focuses on rural Iowa, which I have asked Lieutenant Governor Gregg to lead.

We will bring together leaders from across Iowa with different backgrounds to be part of this effort.

Iowans who have lived in rural communities all of their lives, those who recently moved there, young professionals, successful business owners, and those just starting out.

This new initiative will promote investment and connect rural Iowa by expanding broadband capabilities in every corner of our state. Our goal: to keep and bring home Iowa's sons and daughters and grow the next generation of community leaders.

Last month, Congress passed historic tax reform—legislation that gives significant tax cuts to working-class Iowans, and gives even greater relief for families who are raising children. Across the board, in virtually every income bracket, Iowans will see relief.

For that, I want to thank Congress and the President. Because every day, I meet Iowans who tell me that, no matter how hard they work, they're still treading water and struggling to make ends meet.

But here's the thing: Because of an outdated provision in Iowa's tax code, Iowans will see a tax *increase* if we don't pass tax reform at the state level.

Iowa is one of only three states that allow taxpayers to deduct their federal taxes. While that might sound like a good thing, right now it's not.

It creates complexity, and worse—it means that when your federal taxes go down, your Iowa taxes go up. And it often punishes those who we want to help the most.

With federal deductibility in place, when the federal government cuts taxes for working-class families, Iowa raises taxes on those same families.

When the federal government cuts taxes for farmers and small businesses, Iowa raises taxes on farmers and small businesses.

That's not just a hypothetical. It's what will happen if we don't act.

Therefore, I will be proposing a tax reform package that significantly reduces rates, modernizes our tax code, eliminates federal deductibility, and provides real tax relief for middle class families, farmers, and small businesses.

This is an opportunity to free us from decisions made in Washington, D.C. and simplify our tax code. And, more important, Iowans will keep more of their hard-earned money.

Like many Iowans, Kevin and I lived on a tight budget while raising our girls. We had to focus on priorities, making tough decisions on what we could and couldn't afford.

It's no secret we are working through difficult times with our state budget. So we have to focus on what we can afford. While I want to reduce our uncompetitive corporate taxes, this is not the year.

But in the meantime, I will be creating a bipartisan task force to analyze every tax credit and come back with recommendations before the next legislative session. This will provide the opportunity to address our corporate tax rate with a better understanding of the larger picture.

It may take a multi-year effort, but we are going to completely reform our tax code. We're going to make Iowa more competitive, and we're going to continue to be a place where businesses—big and small—want to grow and expand.

Nearly everything that is important to our future—schools, jobs, energy, growth—depends on the health of our people. If Iowans aren't healthy, they can't learn, they can't work, they can't take care of their families, and they can't succeed.

Before the Affordable Care Act, Iowa had an individual insurance market with relatively low cost and high participation.

Now, our healthcare market is collapsing.

It's unaffordable. It's unsustainable. And it's unacceptable.

I continue to call on Congress to repeal and replace the Affordable Care Act.

But we can't wait for Congress to fix it.

This session, we must work together to pass legislation that gives Iowa farmers, small business owners and their workers access to affordable insurance.

To meet the needs of our most vulnerable Iowans, to ensure we have affordable healthcare coverage for working families, to provide compassionate mental health care, and to fight the plague of opioid addiction, we must address these complex issues in a coordinated and strategic approach that builds on the progress we've made together.

Almost two years ago, we modernized our Medicaid system to an individualized, patient-centered approach that was already in place in 39 other states. It was a change that needed to be made.

Under the old system, costs soared, fraud occurred, it was unsustainable, and we weren't focused on patient outcomes.

I still believe managed care is the right decision for Iowa, but it has become very clear that mistakes were made in how it was done. Shortly after being sworn in as Governor, I took deliberate action to make a change. I hired a new director for the Department of Human Services, who has the passion, and—most importantly—the compassion to make this work. And he has hired a new Medicaid director with the experience to get things turned around.

With this new team in place, we are working with our caregivers to resolve issues in a timely manner and ensure on-time payments.

We are continuing to work with our Managed Care-Organizations to ensure Iowans are getting the best possible outcomes. And we are reaching patients in new and innovative ways to individualize their care.

This is something I think about and work on every day, because it is so important to so many Iowans. We will make this right.

We must also continue to provide compassionate mental health care.

In 2013, we redesigned Iowa's mental health system with bipartisan input and support. We moved from a county-by-county system to a regional network, ensuring the same core services for all Iowans, regardless of where they live.

150,000 more Iowans have mental health coverage today and have access to more local and modern services.

We've invested \$2 billion in mental health services. And in 2016 we invested \$4 million in a new psychiatric medical residency program to recruit and retain more psychiatrists.

But we must do more, and I know we can.

That's why I look forward to partnering with Des Moines University and the National Alliance on Mental Illness on their exciting new initiative, where every new doctor will receive the training and skills to identify and treat a patient with a mental health challenge.

I have included money in my budget for this innovative program. It will be the first-of-its-kind, and since Des Moines University trains more primary-care physicians than any medical school in the country, it's a significant step forward.

We have students and faculty from Des Moines University with us today. Please join in me thanking them for the leadership they have shown in mental health education and awareness.

To improve our mental health system, we can't just focus on the sheer number of beds; we must identify the gaps in our system.

In many cases, Iowans suffering from mental illness don't need hospitalization. But they also can't get the care they need at home.

They need a safe place to stay that offers professional services and a watchful eye.

We need to establish residential access centers that will provide short-term care for those in crisis. A place with the resources necessary to get these Iowans stabilized and back home to their families.

To help make that happen, I am asking the legislature to remove the cap on sub-acute beds.

And I am asking the mental health regions and our stakeholders to work with me to create a long-term and sustainable funding structure to establish these much-needed crisis access centers.

Creating a mental health system is complex and it won't be solved overnight. But no parent, child, friend or neighbor should suffer in silence when it comes to mental health.

Addiction can be just as anguishing for Iowa families and many of you know someone who has suffered from the wave of heroin and opioid addiction that is making its way through Iowa.

This issue is very personal to me. To the thousands of Iowans impacted by addiction, I've been there; I understand your struggles. My family understands your struggles. I know that life can be so much better.

Like it is for Caleb, a recovering opioid addict from Dubuque.

His life was saved after an overdose that nearly left him dead. Through the help of medicated-assisted treatment and a recovery program, he's turned his life around. Caleb's kept a job for over a year, received promotions and raises. And he's happier than he's ever been. While courageously sharing his story at our recent Opioid summit, Caleb said, "Even though I'm a high school drop-out, I feel like I'm very wealthy!"

Caleb, we're all richer for hearing your story.

In the past decade, opioid-related deaths have more than doubled, and will continue to rise unless we take action to reverse this heart-wrenching trend.

My plan to address this epidemic includes, increase use of the Prescription Monitoring Program, supporting enhanced intervention for Iowans addicted to opioids, and expanding medicated assisted treatment, the very program that helped Caleb.

And today I am calling on the legislature to pass legislation to reduce the number of opioids prescribed in Iowa.

This is a big step in the right direction. It will change lives and provide opportunities for a brighter future.

The foundation for a bright future starts early. So when we talk about unleashing opportunity and prioritizing our budget, nothing is more important to me than investing in our children.

In today's changing economy, whether our kids are bound for a four-year college, a community college, trade school, apprenticeship, military service, or headed into the workforce, we must prepare them for a productive and successful life.

That's why we have invested over \$37 million in STEM through public private partnerships. One school district and community that has embraced STEM education from the very beginning is Harlan. From being the first school to participate in National Guard STEM Day to Pint-Size Science, the Harlan School District is a perfect example of how schools, businesses, and communities are preparing their students for the jobs of tomorrow. We have students from Harland here today; please join me in welcoming them!

Since taking office seven years ago, we have added \$735 million in new money to our preK-12 education systems.

At \$3.3 billion, funding is at an all-time high.

In fact, a recent study by the Center on Budget and Policy Priorities found that over the last 10 years, only three states increased education funding at a higher rate than Iowa.

Education is a priority, and we will continue to back that up with real money.

In my budget I am proposing \$54 Million in new money for our schools.

We have also maintained our commitment to school choice, which offers families the option to teach their values, beliefs, and viewpoints to their children.

That's why my tax reform plan will expand 529 plans to include K-12 education.

But we also can't fall into the trap of measuring the quality of our education system by the sheer number of dollars we put into it. If we're not focused on preparing our young people for the future, then we are failing.

The economy is changing, the demand of the workforce is changing, and our education system must change with it.

On that front, Iowa is ahead of the game.

Last fall, Mike Rowe, the host of *Dirty Jobs*, visited Central Campus in Des Moines and called its pre-apprenticeship program a model for high schools all over the country. He talked about how welding, carpentry, nursing, drywall, automotive—all the major trades—were represented.

We are fortunate to have students with us today from Central Campus!

When talking about your school, Mike said that you have a pre-apprenticeship program that rivals the best he's ever seen; that you, the kids in this program, are given real-world experience. So real, that your high-school classes are translating into college credits.

We can and should emulate your program around our state.

And the initiative to help us do that is Future Ready Iowa.

Future Ready Iowa will create an environment where opportunity is unleashed. A place where high-paying new jobs are seamlessly linked with a motivated and highly-skilled workforce.

In Iowa, the careers of tomorrow are being created today, with starting salaries of \$40,000, even \$50,000 a year just waiting to be filled.

In fact, right now, there are more than 55,000 job openings on the Iowa Workforce Development website, many in high-demand, high-paying fields.

At the same time, we all have friends, relatives, and neighbors who are ambitious and hard-working but lacking the skills or self-confidence they need to reach out and seize one of those careers.

But, this morning, I'd like to introduce you to one Iowan, Amy Boozell, who chased her dream and earned the career she always wanted.

Amy's college story began more than 20 years ago, when she was a new mother. At the age of 19, she put her dreams on hold so she could put her child first. Later, she attended community college off and on, but it never resulted in a degree. But Amy had the courage and initiative to keep trying.

In 2016, after two and a half years of study, sleepless nights, and sacrifice, Amy crossed the stage at the age of 42, receiving her hard-earned diploma from Iowa State University.

I know Amy's story, because that day, I walked across the very same stage.

We sat next to each other at graduation, at ages 42 and 57, a mother of 5 and a mother of 3, aware that just because life got in the way didn't mean that opportunity had to be forever out of reach.

To every Iowan wanting to do more, to make that dream a reality, if Amy and I can do it, so can you. Amy, please stand so we can congratulate you!

Today, just over half of our workforce has training or education beyond high school. We're going to change that.

By 2025, our goal is for 70% of Iowa workers to have the skills they need to land a great job.

To reach that goal, we will partner with the private sector to rapidly expand education and training opportunities for more than 127,000 working men and women.

It's a big challenge, but we're going to get there. And we're starting now.

Today I am calling on the legislature to pass the Future Ready Iowa Act. It's a bill that creates opportunities for Iowans of all ages and experiences. Opportunities to get the skills they need for a rewarding career.

It starts with K-12 system. I want children to know, from the earliest age, that they have options. I want them to know that trade programs and community colleges can prepare them for high-paying careers

In Manchester, a company called Henderson Products, needed skilled welders. So they partnered with West Delaware High School and Northeast Iowa Community College to establish a program that gives students a head start on learning the valuable skilled trade of welding while still in high school. It gave Henderson the workforce they needed.

Through the success of this partnership, Henderson has hired nearly 30 new welders. For a town of 5,000 people, that has a real impact.

That's why I've included \$500,000 in my budget to expand this type of work-based learning.

We have students from West Delaware High here today, please join me in recognizing them for their outstanding work!

We must do everything we can to steer Iowans—young and old—to training programs that lead to great careers. To do that, we'll create a new scholarship for Iowans who decide to pursue up to a two-year degree in a high-demand field, like nursing, advanced manufacturing, or computer science. These scholarships will pay for the students' remaining tuition and will be available to Iowans of any age, whether they just graduated from high school or are looking to change careers.

We'll also create a new grant program for people who started a four-year degree but never finished. So people like Amy know it's never too late. If this is your dream, now is the time to chase it.

I also want to increase our support for apprenticeships, that's why I have included an additional \$1 million in my budget to expand Iowa's current apprenticeship program to help more small- and mid-sized employers offer these life-changing opportunities.

Finally, working with the private sector, we will create the Iowa Employer Innovation Fund, which will revolutionize the way we think about workforce training.

Instead of government deciding which programs are needed, decisions will be made at the local level by the businesses and job creators. They'll invest *their* money, in the training programs that best fit *their* needs, and the State innovation fund will provide matching dollars.

Iowa's businesses are already stepping up. And I want to thank the Iowa Business Council for leading the way, by committing to hire 30,000 interns, externs, and apprentices by 2025.

Future Ready Iowa will have a real impact on Iowans. People like Georges Seakor, who is with us here today. He became an Iowan at the age of five, when his family moved here to escape violence in Liberia. While at Lincoln High School, through the IJAG program, Georges took advantage of an internship at Principal Financial which opened the door to a full-time job after graduation. Now Georges is studying at DMACC, while working at Principal—an opportunity that he never thought possible.

This is what happens when our young people see, at an early age, the opportunities that are available right here in Iowa. It's what happens when our businesses work *with* our schools. And it's what happens when our young people make the connection between an education and a career. George please stand so we can recognize your outstanding accomplishments!

As I said at the start, I believe that Iowa is—and ought to be—a place where, if you're willing to work for it, you can make your dreams come true.

My vision is to give the people of Iowa a place to call home that unleashes opportunity at every turn.

For all Iowans—for people like Caleb, Amy, and Georges—let us build a future where our ability to dream is infinite and the will of our people remains eternally unbroken.

From the cities and suburbs, to our smallest towns and rural communities, together, we are greater than the sum of our parts.

Together, the condition of our state is strong.

And together, we can pass on to our children an Iowa even greater than the one we inherited.

May God bless you, and continue to bless the great state of Iowa.

Governor Kim Reynolds was escorted from the House chamber by the committee previously appointed.

On motion by Hagenow of Polk, the Joint Convention was dissolved at 10:53 a.m.

Speaker Upmeyer in the chair at 11:06 a.m..

SUBCOMMITTEE ASSIGNMENTS

House File 482

Veterans Affairs: Heartsill, Chair; Gustafson and Prichard.

Senate File 360

Human Resources: Holt, Chair; Abdul-Samad and Jacobsen.

On motion by Hagenow of Polk, the House adjourned at 11:06 a.m., until 8:30 a.m., Wednesday, January 10, 2018.

JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 10, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Baxter of Hancock. He was the guest of Hagenow of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Noah, Owen and Sophia Hagenow. They are the children of Hagenow of Polk.

The Journal of Tuesday, January 9, 2018, was approved.

INTRODUCTION OF BILLS

House File 2001, by Salmon, a bill for an act relating to service dogs and assistive animals in residential rental property, providing for landlord remedies to remove dogs and animals, and providing penalties for misrepresenting an animal as a service dog or assistive animal.

Read first time and referred to committee on **Commerce**.

House File 2002, by Forbes, Staed, Hunter, Bennett, Prichard, Kacena, Kearns, Brown-Powers, Abdul-Samad, Winckler, Kurth, Gaskill, Steckman, Running-Marquardt, T. Taylor, Isenhardt, Mascher, Anderson, and Heddens, a bill for an act relating to health care coverage including the establishment of a healthy Iowans for a public option and the administration of the Medicaid program, and including effective date provisions.

Read first time and referred to committee on **Commerce**.

House File 2003, by Salmon, a bill for an act relating to persons involved in the sale of alcoholic beverages, and making penalties applicable.

Read first time and referred to committee on **Commerce**.

House File 2004, by McKean, a bill for an act amending the definition of small city for purposes of eligibility under the workforce housing tax incentives program, including effective date and applicability provisions.

Read first time and referred to committee on **Economic Growth**.

House File 2005, by Mascher, a bill for an act requiring school districts to expand human growth and development coursework to include instruction regarding organ and tissue donation.

Read first time and referred to committee on **Education**.

House File 2006, by Jones, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Read first time and referred to committee on **Education**.

House File 2007, by Wills, a bill for an act relating to subject and performance-based assessments administered prior to a student's completion of a practitioner preparation program.

Read first time and referred to committee on **Education**.

House File 2008, by Mommsen, a bill for an act changing the name of the watershed management authority to the watershed partnership, and including transitional provisions.

Read first time and referred to committee on **Environmental Protection**.

House File 2009, by Isenhardt, a bill for an act relating to the disclosure of personal identifying information of prescribing

practitioners contained in the information program for drug prescribing and dispensing.

Read first time and referred to committee on **Human Resources**.

House File 2010, by Jacoby, a bill for an act relating to medical specialty board recertification and the practice of medicine in this state.

Read first time and referred to committee on **Human Resources**.

House File 2011, by Salmon, a bill for an act relating to motor vehicle operating records pertaining to arrests, convictions, and driver's license revocations for operating-while-intoxicated offenses.

Read first time and referred to committee on **Judiciary**.

House File 2012, by Salmon, a bill for an act relating to search warrants issued in the investigation of operating-while-intoxicated violations.

Read first time and referred to committee on **Judiciary**.

House File 2013, by Jones, a bill for an act relating to the assessment of fees when a public defender or designee requests copies of certain documents.

Read first time and referred to committee on **Local Government**.

House File 2014, by Salmon, a bill for an act relating to weapons requirements for nonambulatory hunters.

Read first time and referred to committee on **Natural Resources**.

House File 2015, by Salmon, a bill for an act relating to the administration of portable breath tests in operating-while-intoxicated cases, including the use of test results in court actions.

Read first time and referred to committee on **Public Safety**.

House File 2016, by Hunter, a bill for an act concerning the regulation of elections by establishing requirements for election to public office, assessing election costs to candidates, and affecting vote tabulations for public referenda.

Read first time and referred to committee on **State Government**.

House File 2017, by Jones, a bill for an act relating to the elimination and transition of the duties of the department of public health.

Read first time and referred to committee on **State Government**.

House File 2018, by Meyer, a bill for an act prohibiting outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Read first time and referred to committee on **State Government**.

COMMITTEE TO NOTIFY THE SENATE

Klein of Washington moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Klein of Washington, Chair; Sexton of Calhoun and Bearinger of Fayette.

The House stood at ease at 8:38 a.m., until the fall of the gavel.

The House resumed session at 9:47 a.m., Speaker Upmeyer in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Klein of Washington, Chair of the committee to notify the Senate that the House was ready to receive it in Joint Convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the Honorable members of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the Joint Convention was called to order at 9:49 a.m., President Whitver presiding.

Senator Dix of Butler moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present, which motion prevailed.

President Whitver announced a quorum present and the Joint Convention duly organized.

Senator Dix of Butler moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives be appointed to escort Governor Kim Reynolds to the House chamber for the Condition of the Judicial Branch Message.

The motion prevailed and the President appointed as such committee Senators Behn of Boone, Kraayenbrink of Webster and Hart of Clinton on the part of the Senate, and Representatives Bloomingdale of Worth, Zumbach of Linn and H. Miller of Webster, on the part of the House.

Senator Dix of Butler moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives be appointed to notify Chief Justice Mark S. Cady that the Joint Convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Chelgren of Wapello, Greene of Des Moines and Hogg of Linn on the part of the Senate, and Representatives Jones of Clay, Heartsill of Marion and Meyer of Polk, on the part of the House.

Secretary of Agriculture and Land Stewardship, Bill Northey; State Auditor, Mary Mosiman and Attorney General Tom Miller were escorted into the House chamber.

The Justices of the Supreme Court, the Chief Judge and Chief Judges of the Court of Appeals and the Chief Judges of the state's judicial districts were escorted into the House chamber.

The Chief Justice's wife, Rebecca, of Fort Dodge, his son and daughter-in-law, Spencer and Reilly Cady and his sister-in-law, Susan Imus were escorted into the House chamber.

Lieutenant Governor Adam Gregg was escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her to the Speaker's station.

The committee waited upon Chief Justice Mark S. Cady and escorted him to the Speaker's station.

President Whitver presented Chief Justice Mark S. Cady who delivered the following Condition of the Judicial Branch Message:

CONDITION OF THE JUDICIAL BRANCH MESSAGE

Mister president, madam speaker, distinguished members of the Iowa General Assembly, Governor Reynolds, state officials, colleagues, family, friends, and everyone who joins us this morning to hear the condition of Iowa's judicial system.

One of the simple pleasures in my life was the opportunity to drive my daughter to her grade school in the morning. It did not occur often enough, but enough to produce a lasting memory—not from any words spoken, but from the moments I spent watching her walk from the car to the school door. Before she disappeared inside for the day, she always looked back to see if I was still there for her.

Everyone is dependent upon the support of others, and each year the courts look to you for support. Not just your financial support to maintain our current level of services to Iowans or to keep the courthouse doors open. But, consistent with the expectations of Iowans, the support for our court system to continue to innovate, to be a part of transformational change, to be the very best we can be.

Our founders built government for all Americans to grow to be better than we once were—to form “a more perfect union.” And they created a court system to work towards this end in perpetuity. As from the beginning, the court's role in this pursuit of a “more perfect union” is to advance justice through decisions made to resolve disputes. Yet, this goal can also be achieved as much, if not more, by changes made to

the process of justice—changes in the way courts do their work. As with any successful business and industry, a court system today must constantly examine the way it works, ask if better ways exist, and incorporate proven new ideas and technologies. This is what Iowa's court system must do.

So, as we begin this new year, the Iowa court system pauses again to look back at you for your support. We look back with a deep appreciation for the support shown to us in the past, and we look forward with hope your support will grow in the future. Iowa's court system is at its best when your support allows us to provide the level of services needed to best serve Iowans. Let me share with you examples of how the changes the court system is currently making to the process of justice are improving the lives of Iowans, beginning with the services we provide to Iowa's children.

The Process of Justice Serving Iowa's Children

Juvenile judges and juvenile court officers continue to serve the needs of children and families, and new stories of success continue to emerge from juvenile courts, diversion courts, and family treatment courts. These stories confirm that the innovative approaches to delivering justice I have highlighted for you over the last few years are working. These stories show how thoughtful changes to the process of justice transform hope into real opportunity for more children and their families and save millions of dollars for taxpayers. Better outcomes are achieved when the process of justice not only holds children accountable for their actions but holds them accountable to overcome the problems responsible for their criminal acts without imposing unnecessary burdens that only hold them back.

Juvenile courts and diversion programs continue to keep more children out of the formal court system by using community-based programs to address their needs and hold them accountable for their actions. While some children need to face the full force of the court system, we have learned most do not. Most children only need a process of justice that best assures their potential will be discovered and achieved. This is what the process of justice must be for all of Iowa's children.

One such juvenile program located in Polk County is called "Too Good To Lose." It is the only court program in the state, and one of the few in the nation, exclusively devoted to the unique challenges teenage girls face. All of the girls in the program committed criminal acts. All have turned to drugs. Some are mothers. Yet, they are all still children who, too many times, looked back for support that was not there. Children too young to understand they had also become victims—of sexual assault, domestic violence, or human trafficking. Children in need of a process of justice that sees them as too good to lose.

The mission of Too Good To Lose is to ensure that these girls are safe, remain drug free, receive an education, give back to the community, and heal. Since March 2016, 17 girls have entered the program, and 6 have now graduated. The success of this program can be attributed to the unique bond between the judge who oversees the court, the juvenile court officer who supervises the girls, the women from the community who come into court and share their experiences with the girls, and the girls themselves who now have people in their lives that they can look back to for support.

After I attended a graduation ceremony last November, the girls in the program sent me a thank you note. One wrote, "Thank you for joining me on my journey." Another

wrote “you rock.” While I’m not sure about the meaning of “you rock,” I inquired further into the meaning of the journey I had joined that day. She wrote about it in an essay with these words:

Depression slowly crept into the night and I began to find myself drowning in my own tears. While living restless, I was having no motivation to get up in the morning. I was on the verge of giving up. I was unbelievably close. It was so out of control that I began to have legal problems and was on probation for using substances. Home wasn’t any better and I believe at that point I did give up. I didn’t care what happened to me, I was just reckless, falling into a deeper hole before I knew it.

Today, this young girl is on track to graduate from Too Good To Lose and from high school, with college in her future and dreams to pursue. Her journey is our journey. Too Good To Lose needs to become a movement, a movement that begins in Iowa. Every child is too good to lose. We must not stand by and allow any one of them to be left behind. This is what the process of justice must be for Iowa’s children.

The Process of Justice and Problem-Solving Courts

Too Good to Lose is part of a comprehensive commitment by the court system to build a process of justice that not only holds offenders accountable for their crimes but, when possible, gives them the tools needed to overcome the problems behind the criminal conduct. When rehabilitation is achieved without imprisonment, justice is advanced and the expense of incarceration is avoided.

Currently, 47 problem-solving courts are operating in Iowa, including 20 adult drug courts, 4 mental health courts, and 1 veterans court. The mental health court in Scott County has been operating for just over a year, and in that short time, 19 individuals have successfully participated in the program. All of the individuals are connected with a doctor and are medication compliant. For these offenders, this achieves rehabilitation. This court is a small but important step in addressing the mental health needs of Iowans who have violated the law. It shows how improving the process of justice leads to better outcomes and how expanding these courts statewide would benefit more Iowans. It is also a step that shows the benefits of avoiding the expense of attempting to treat mental health needs through incarceration. In its brief existence, the Scott County mental health court has generated a cost avoidance of over \$300,000. This is what the process of justice must be for all Iowans.

The Process of Justice in the Criminal Justice System

We continue to explore ways to improve the process of justice to achieve better results from the criminal justice system. In doing so, we have learned of the substantial and often unnecessary collateral consequences for Iowans who are financially unable to pay their bail when arrested and remain in jail. These consequences include separation from family, loss of job, loss of housing, and much more. While bail must always serve to protect the public and ensure future appearances in court, it should never serve to incarcerate solely because the person does not have the financial ability to post bail.

For more than a year we have been working with the department of corrections to develop a new public safety assessment for judges to use in deciding whether to release or detain criminal defendants before trial. The assessment was developed from years of data and research by the Arnold Foundation. It is designed to assist judges in making evidence-based release or detention decisions. The assessment does not replace a judge’s discretion, but it enhances a judge’s ability to determine the public

safety risk of the person appearing before the bench. Other states using this assessment have safely experienced a reduction in their jail populations and pretrial crime rates. We expect similar outcomes will be achieved in Iowa. But most importantly, this approach is aligned with our pursuit to improve justice. Criminal offenders should be punished pursuant to a sentence prescribed by law, not by unnecessary and unfair consequences of the process of justice itself. This is what the process of justice must be for all Iowans.

Investing in the Process of Justice

With every step we take to improve the process of justice, we also make justice more efficient and less costly to Iowa taxpayers. Last year, Iowa's juvenile diversion programs diverted more than 10,000 children from the formal court system. These programs alone avoided more than \$14 million in costs to other parts of the state budget. Family treatment courts served more than 300 families last year generating a cost avoidance of more than \$3.5 million in the human services budget. Other specialty courts avoided \$4 million in costs. These programs are in addition to the \$146 million the Iowa court system collects for the general fund. Last year, the total return on investment in your court system was more than \$178 million. Your investment in the process of justice benefits Iowa's taxpayers.

Let me mention two additional steps taken last year to improve the process of justice.

First, in October, the supreme court formed a commission to find better ways to ensure that juries reflect the diversity of each community. Juries make decisions that have a profound and lasting impact on the lives of Iowans. These decisions are improved when diverse thoughts and experiences are shared and considered. So is public confidence in the process of justice. So is the promise of justice for all. Your court system is better when there is public confidence in the fairness of the criminal justice system. This is what the process of justice must be for all Iowans.

Second, the supreme court issued a courthouse security order in June last year to enhance the safety and integrity of our process of justice within each courthouse. In December, the order was modified so our county partners can have greater leeway to assist in this mission. I just want you to know that we are committed to working with you and with counties, sheriffs, legislators, law enforcement, and others to achieve the common goal of protecting Iowans who conduct business and work in county courthouses. Courthouse security is inseparable from the concept of justice itself.

Current Challenges to the Process of Justice

While it is nice to report on our progress towards justice for all, I feel obligated to also report on our shortcomings. These deficiencies are not what Iowans expect or deserve. They are growing in number, as are consequences.

We must remember that justice ultimately comes from the people who work in the justice system. Today, the court system employs 182 fewer people than authorized just one year ago. This is a 10% reduction in workforce. As expected, efficiencies gained through the integration of technology into our operations account for some of the workforce reduction. But, we are currently operating with 115 essential positions unfilled, and this number is growing. This means there are fewer judges, fewer court reporters, fewer case schedulers, and fewer juvenile court officers. It means there is a daily struggle to coordinate and deliver services. It means Iowans are losing access to justice. Two years ago, I told you about our commitment that all cases would be timely

tried on the date set for trial, without delay. We have been forced to walk back from this pledge because we do not have enough people to do the work to keep it. So, the delays we were rapidly eliminating from the process of justice are returning and affecting your constituents who need our services to resolve their disputes. But that is not all. Today, Iowans who reside in rural areas are receiving fewer court services than the Iowans in urban areas. Today, a freeze on new specialty courts exists so that the critical services provided by a specialty court in one county are not being provided in another county. Today, I am concerned all of this causes us to lose our focus on the quality and promise of justice. This is not what the process of justice should be.

In past years, I have reported on the benefits that technology is giving Iowa's court system and its process of justice, including our paperless filing system. Yet, last October, the technology that supports the electronic filing system failed unexpectedly and could not be used for a week. This crippling situation resulted from an inadequate backup system, which we know needs to be upgraded with better technology to prevent a future system outage. The outage meant Iowans were unable to file or access court documents, and judges were unable to access and work on court files. This must not happen again. This is not what the process of justice should be.

These shortcomings, and others, are mostly the result of insufficient resources, and the shortcomings continue to be revealed in new ways every day. They are also beginning to tear at the very fabric of our operation and mission. Ominous signs are appearing. This year, more judges will be retiring than in previous years. For the last decade now, fewer and fewer private practice attorneys are seeking a career on the bench. Civil case filings continue to decline, as lawyers and litigants choose to pursue alternative means to resolve disputes. This is not what the process of justice should be.

Overall, the writing is on the wall. Our shortcomings and their consequences have not gone unnoticed in the most recent ratings of the 50 state court systems from the United States Chamber of Commerce. In past years I have spoken of these ratings to illustrate our success. This last year, Iowa fell from its proud position as the fourth best court system in the nation to thirteenth place. This is not the direction a justice system should be headed. This is not how our process of justice should be seen.

Future Challenges to the Process of Justice

With your support, however, our shortcomings today can be opportunities to be a better court system tomorrow. We know additional challenges lie ahead, but with your continued investment, these too can be opportunities. So, as we work to overcome our current challenges to better our process of justice, we must also prepare to meet the challenges ahead.

One challenge can be seen in the growing signs that the opioid crisis has reached Iowa. While this will be a challenge for all, Iowa courts must prepare to respond now. Court services will be an essential part of the collective effort to minimize the loss of life and the devastation inflicted on families in our state. Fortunately, we know that family treatment courts and drug courts are up to the task. These courts, however, must be expanded and retooled to address the myriad issues families and children confront when affected by opioid addiction. This is what the process of justice must be.

Not all challenges are as visible as the opioid epidemic. Cybersecurity has rapidly emerged as a vital issue for the court system. The electronic filing system now stores more than 20 million documents containing sensitive personal information, corporate

data, and intellectual property. As in the private sector, courts need to invest in technology and take all necessary steps to ensure that Iowans' vital information is secured and protected against cyberattack and natural disasters. This is what the process of justice must be.

Yet, the greatest challenge facing the court system today is the unprecedented technological transformation rapidly shaping the way we communicate, think, and even live together. As in most aspects of life, it is giving rise to innovations and new industries that are displacing existing industries, even those that seemed impervious to change just a few years ago. The court system and the legal profession are not immune from this movement and will be challenged in significant ways very soon. The problem with disruptive innovation is not the change it brings, but the failure of existing systems to recognize it and adapt. The Iowa court system, like successful businesses today, needs support to integrate new technologies so the delivery of our services meets the expectations of Iowans. However, the Iowa court system is more than a business; its constitutional and common law components are essential to the future and must never be displaced.

A Defining Moment in Iowa's Process of Justice

From my perspective, there could not be a more important time to support Iowa's courts, or reasons more compelling. But the most important reason for supporting our courts is illustrated by looking back at one of the most important legal cases in Iowa's history. So it is fitting that this year we celebrate the 150th anniversary of this case and its importance today.

The case is called *Clark v. Board of Directors*. It was brought by an Iowan named Alexander Clark, who lived with his family in Muscatine. He turned to the courts in 1868 after his twelve-year-old daughter, Susan, was denied admission by the local school board to the public school in her neighborhood. She was denied admission because she was born to African-American parents. A separate school was located a mile away for African-American children to attend. I think Alexander Clark must have seen his daughter, too many times, look back at him for support when she walked past the door of her neighborhood school without entering. So, he turned to the process of government established by our forefathers and asked Iowa's courts for help.

The district court ordered the school board to admit Susan Clark to her neighborhood school, and an appeal brought the case before the Iowa Supreme Court. The supreme court found the school board's decision was supported by the prevailing sentiment of the community, as well as many other communities, but not by the laws and the constitution of our state. The court rejected the concept of segregated schools for Susan Clark and all children in Iowa.

The court wrote that just as a school board could not "require the children of Irish parents to attend one school, and the children of German parents another, the children of Catholic parents to attend one school, and the children of Protestant parents another," it could not require Susan Clark to attend a separate school for African-Americans. It then etched these iconic words into our history: "all the youths are equal before the law," and no institution of government has discretion "to interfere with or disturb that equality."

The case was a defining moment for Iowa and the nation. It occurred 86 years before the United States Supreme Court would follow in *Brown v. Board of Education*. It

occurred at a time when there was a strong public sentiment for segregated schools but a stronger commitment by our courts to uphold the rule of law. It was a moment in time that shined a beacon of light on the process of justice for all time.

Affirming the Process of Justice

The last word written by the court on that day in 1868 was “affirmed.” It was written to affirm the decision of the district court, but it did much more that day. It affirmed Susan Clark as equal with every other child. It affirmed all Iowans as equal. It affirmed a new public sentiment for the future. It affirmed a process of justice in Iowa where one person can turn to the courts for justice and make a difference for all.

So, the *Clark* case is not just a celebration of an important principle of law. It gives us an important perspective and understanding to see the promise and value of our court system at this critical time today and the best reason in the world to support our courts. It gives us an opportunity to reaffirm Iowa’s commitment to justice today in a way that will allow generations to look back 150 years from today and celebrate another defining moment in our history.

Chief Justice Mark S. Cady was escorted from the House chamber by the committee previously appointed.

Governor Kim Reynolds was escorted from the House chamber by the committee previously appointed.

On motion by Hagenow of Polk, the Joint Convention was dissolved at 10:40 a.m.

Speaker Upmeyer in the chair at 10:45 a.m.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 500 Judiciary

Relating to probate by the distribution of decedent’s property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

H.S.B. 501 Judiciary

Relating to probate and the administration of small estates and including applicability provisions.

H.S.B. 502 Judiciary

Relating to expert witness standards in medical malpractice lawsuits.

H.S.B. 503 Judiciary

Relating to probate, by amending the court fees in probate and including applicability provisions.

H.S.B. 504 Judiciary

Relating to mortgage releases.

H.S.B. 505 Judiciary

Relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

H.S.B. 506 Judiciary

Relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

H.S.B. 507 Judiciary

Relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

H.S.B. 508 Transportation

Establishing a text messaging notification and payment system for certain citations and informations.

H.S.B. 509 Transportation

Relating to motor vehicles approaching stationary construction vehicles, and providing penalties.

H.S.B. 510 Local Government

Relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

H.S.B. 511 Local Government

Relating to county budget and city budget approval procedures and including applicability provisions.

H.S.B. 512 Local Government

Prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

H.S.B. 513 Local Government

Concerning the contract bidding process for public improvement projects conducted by the state board of regents.

H.S.B. 514 Local Government

Setting the dates for the submission of local public measures to the electors.

H.S.B. 515 Local Government

Authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

H.S.B. 516 Human Resources

Relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

H.S.B. 517 Human Resources

Relating to access to certain child abuse and dependent adult abuse information by free clinics.

H.S.B. 518 Public Safety

Relating to operating an unmanned aerial vehicle in, on, or above a county jail, municipal holding facility, detention facility for juveniles, or institution under the management of the department of corrections, and providing penalties.

H.S.B. 519 Public Safety

Relating to the real-time transmittal of information to the prescription monitoring program by licensed pharmacies and including effective date provisions.

H.S.B. 520 Public Safety

Relating to the issuance of prescriptions for an opiate that is a schedule II controlled substance and making penalties applicable.

H.S.B. 521 Public Safety

Relating to peace officers of the department of public safety exercising the general powers of a peace officer in cities without a permanent police force.

H.S.B. 522 Public Safety

Relating to information reporting to the information program for drug prescribing and dispensing.

H.S.B. 523 Public Safety

Relating to requirements for specific digital content-blocking capabilities of products manufactured, distributed, or sold in the state that make the internet accessible, providing for the collection and remittance of fees, and providing for criminal and civil liability for certain violations of the Act.

SUBCOMMITTEE ASSIGNMENTS**House File 452**

Local Government: Bloomingdale, Chair; Deyoe and Lensing.

House File 482

Veterans Affairs: Heartsill, Chair; Gustafson and Meyer.

House File 2013

Local Government: Jones, Chair; Highfill and Wolfe.

On motion by Hagenow of Polk, the House adjourned at 10:46 a.m., until 8:30 a.m., Thursday, January 11, 2018.

JOURNAL OF THE HOUSE

Fourth Calendar Day - Fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 11, 2018

The House met pursuant to adjournment at 8:29 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Ourth of Warren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brady Fisher, Minority Leader's Page from Ackley.

The Journal of Wednesday, January 10, 2018, was approved.

INTRODUCTION OF BILLS

House File 2019, by Rogers, a bill for an act permitting employers to provide employees with wage statements by electronic means.

Read first time and referred to committee on **Labor**.

House File 2020, by Pettengill, a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships.

Read first time and referred to committee on **State Government**.

House File 2021, by Salmon, a bill for an act relating to assessments administered to a student prior to completing an approved practitioner preparation program.

Read first time and referred to committee on **Education**.

House File 2022, by Salmon, a bill for an act relating to impoundment and immobilization of motor vehicles involved in operating-while-intoxicated offenses, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2023, by Salmon, a bill for an act relating to operating-while-intoxicated offenses causing death or serious injury, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2024, by Wills, a bill for an act relating to state agency authority relating to purchasing procedures and executive branch employee travel claims.

Read first time and referred to committee on **State Government**.

House File 2025, by Hunter, a bill for an act defining infamous crime as election misconduct in the first degree that is vote fraud for the purposes of disqualifying a person from registering to vote and voting and from being a candidate for certain elective offices and limiting such disqualifications to the term of the sentence.

Read first time and referred to committee on **State Government**.

House File 2026, by Isenhardt, a bill for an act providing for the disclosure of certain communications made to the office of the governor or a state agency from persons outside of government.

Read first time and referred to committee on **State Government**.

COMMITTEE TO NOTIFY THE SENATE

Worthan of Buena Vista moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Worthan of Buena Vista, Chair; Jacobsen of Pottawattamie and T. Taylor of Linn.

The House stood at ease at 8:33 a.m., until the fall of the gavel.

The House resumed session at 9:49 a.m., Speaker Upmeyer in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Worthan of Buena Vista, Chair of the committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that the committee had performed its duty.

The report was accepted, and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the Honorable members of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 103, duly adopted, the Joint Convention was called to order at 9:52 a.m., President Whitver presiding.

Senator Dix of Butler moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present, which motion prevailed.

President Whitver announced a quorum present and the Joint Convention duly organized.

Senator Dix of Butler moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Governor Kim Reynolds to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Sinclair of Wayne, Breitbach of Clayton and Kinney of Johnson on the part of the Senate, and Representatives Pettengill of Benton, Rizer of Linn and Kurth of Scott, on the part of the House.

Senator Dix of Butler moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Adjutant General Timothy E. Orr

to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Costello of Mills, Dawson of Pottawattamie and Bowman of Jackson on the part of the Senate, and Representatives Wills of Dickinson, Nunn of Polk and Breckenridge of Jasper, on the part of the House.

Secretary of Agriculture and Land Stewardship, Bill Northey; State Auditor Mary Mosiman and Attorney General Tom Miller were escorted into the House chamber.

Lieutenant Governor Adam Gregg was escorted into the House chamber.

Suzanne Orr, wife of General Orr, his daughter Elizabeth and his guest, First Deputy Prime Minister Behgjet Pacolli of the Republic of Kosovo were escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her to the Speaker's station.

The committee waited upon Major General Timothy E. Orr, Adjutant General of the Iowa National Guard and escorted him to the Speaker's station.

President Whitver presented Major General Orr, Adjutant General of the Iowa National Guard. He provides command and control of more than 100 Army and Air National Guard units with approximately 9,000 assigned Soldiers and Airmen.

General Orr delivered the following Condition of the Iowa National Guard Message:

CONDITION OF THE IOWA NATIONAL GUARD MESSAGE

Good morning Ladies and gentlemen – thank you for your warm welcome.

Speaker Upmeyer, President Whitver, distinguished members of the Iowa Senate and House of Representatives, honored guests from the Republic of Kosovo, thank you for the opportunity to once again address this joint convention of the Eighty-Seventh General Assembly of the Iowa Legislature.

Today, it is my honor and privilege once again to stand before the joint session of the Iowa Legislature to provide this annual report on the current condition of the Iowa National Guard.

Your Iowa National Guard has evolved from a Territorial Militia created in 1839 into an operational force prepared to defend our state and nation during an era of uncertainty and persistent conflict.

For nearly 180 years, your Iowa National Guard has executed every mission assigned, responded without fail here at home, and deployed wherever needed in a moment's notice, all while making a positive impression wherever they serve.

Your Iowa National Guard is truly making a difference every day in Iowa and around the world.

I want to thank Governor Reynolds and Lieutenant Governor Gregg for attending our homecomings and sendoffs, your strong support of our families and employers, and your willingness to support our military ceremonies.

I would also like to thank our citizen-legislators, who have done so much to honor and support the Soldiers and Airmen of the Iowa National Guard over the years.

And I want to thank the people of Iowa.

Your support of our Soldiers, Airmen, and families has been absolutely incredible.

The Iowa National Guard exists to support and defend the Constitution of the United States and the Constitution of the State of Iowa.

We do this by inspiring Iowans to serve here in Iowa and around the world.

We call these men and women Citizen-Soldiers or Citizen-Airmen.

Their desire to serve is often inspired by their parents or other family members, their friends, and their role models.

These men and women take an oath to put on a uniform and serve their community, state, and nation.

And from that moment, they make sacrifices for ideals that are larger than themselves.

These sacrifices may include spending long periods of time away from family and friends, delaying higher education and career plans, or otherwise putting their personal lives on hold to respond to the needs of their Commander in Chief, whether it's the Governor of Iowa or the President of the United States.

But despite the sacrifices, our Soldiers and Airmen grow immensely, both personally and professionally, from their decision to be a valuable team member of the Iowa National Guard.

Our motto of "We live here, we work here, we serve here" is more important today than ever.

The Iowa National Guard provides a multitude of opportunities to men and women from across this great state.

Our Soldiers and Airmen serve for many reasons: to capitalize on the opportunity to be an integral part of a world class team; to receive a two-year, four-year or technical school degree and graduate debt-free; to learn an occupational skill that will lead to meaningful employment; to travel the world and help people around the globe; to carry on the proud tradition of family service; or just to experience the satisfaction of doing something bigger than themselves.

No matter the reason, this is why the Iowa National Guard is so important to the well-being of the State of Iowa and a key element in the solution to solve some of Iowa's and the nation's pressing issues.

As we look around the globe, the international situation today is the most complex and demanding that I have seen in my 39 years of service.

In the Middle East, terrorists continue to kill innocent people and destroy critical infrastructure, despite significant and accelerating losses.

In Europe, for the first time since World War II, we've seen national borders changed by military aggression, as Russia ignores international law and assumes authority over its neighbors' sovereign rights to make decisions about their own country.

In the Pacific, North Korean provocations threaten regional and even global peace, despite universal condemnation by the United Nations.

In the United States, our homeland, unprecedented back-to-back natural disasters, coupled with major cyber-attacks, and the smallest military since before World War II test our nation's ability to fulfill our global commitments.

As a result of these challenges, the Department of Defense, the National Guard as a whole, and the Iowa National Guard in particular are having to adapt and change.

This is why my focus every day must be to ensure that the Iowa National Guard remains ready and we have the resources to accomplish our three core missions – fighting America's wars, securing the homeland, and building enduring partnerships at the local, state, federal and international levels.

Defending our state and nation are our primary missions.

To accomplish these tasks, my first priority is to provide ready forces to the President of the United States and the Governor of Iowa.

Our state's contribution to providing ready forces for the warfight mission can't be overstated, as evidenced by approximately 800 Iowa National Guard Soldiers and Airmen currently mobilized for combat operations around the globe.

With a total of more than 19,000 Iowa National Guard members serving on active duty since September 11, 2001, Iowa has unquestionably done its part to support our nation.

Last August, approximately 35 Soldiers assigned to Detachment 1, Company C, 2nd of the 211th General Support Aviation Battalion from Waterloo, deployed to the Middle East to provide aerial medical evacuations in support of coalition forces.

We expect these Soldiers to return to Iowa in late Spring 2018.

In September, approximately 400 Soldiers assigned to the 248th Aviation Support Battalion from Muscatine, Davenport, Waterloo, and Boone deployed to the Middle East to provide aviation maintenance and logistical support to a combat aviation brigade.

This deployment of Soldiers is the largest, single-unit deployment of the Iowa National Guard since 2010.

We expect these Soldiers to return to Iowa in Summer 2018.

In addition to our Soldiers deploying this past year, our deployed Airmen from the 185th Air Refueling Wing, 132nd Wing, and the 133rd Test Squadron have been busy supporting the warfight with ongoing aircraft refueling support, cyber security protection, Remotely Piloted Aircraft operations, and testing new Air Force battlespace/air traffic control systems worldwide.

In the past year alone, the 185th Air Refueling Wing in Sioux City has deployed more than 200 Airmen to the Middle East to provide ongoing refueling support of real-world missions to the Air Force, Army, Navy, Marine Corps, and coalition aircraft supporting the fight against ISIS.

The 133rd Test Squadron in Fort Dodge has approximately 60 members currently deployed in the Middle East conducting testing on Air Force Command and Control systems and are expected to return back to Iowa in Spring 2018.

This deployment is the first of its kind for the unit since 9/11.

Since the conversion from F-16 fighter aircraft to three new missions consisting of Remotely Piloted Aircraft, a Cyberspace Operations Squadron, and an Intelligence Surveillance Reconnaissance Group, more than 230 Airmen from the 132nd Wing in Des Moines have served on active duty at home and around the globe.

Due to the amazing advances in technology, the 132nd Wing is able to provide targeting support, MQ-9 Reaper Remotely Piloted Aircraft persistent attack and reconnaissance capability, and cyber security protection around the globe from the Des Moines Airbase.

In the near future, additional Iowa Army and Air National Guard units and individuals have been identified for potential overseas deployments.

With the level of global uncertainty today, the velocity of instability, and potential for significant conflict around the world, we are now at a point where current and projected demands for our assets around the globe to support the warfight will remain at a high operations tempo.

Here at home, our mission is to be the primary military crisis response force for Iowa, and in other parts of the homeland when necessary.

We use the experience and capabilities we gain from training and combat to assist civilian authorities in responding to threats here in Iowa such as large scale natural disasters, cyberattacks, or chemical, biological, radiological and nuclear attacks.

I am happy to report that for most of 2017, it was a relatively quiet year for our emergency response operations.

We used this available time to plan, prepare, and rehearse for potential disaster response on a multitude of scenarios.

In order to be more prepared and have the ability to respond quickly and effectively, the Iowa National Guard has developed an All-Hazards Support Plan to help our state plan and execute various response and recovery operations.

However, that all changed in September, when the United States experienced three hurricanes that struck the homeland back-to-back over a three-week period of time: Hurricanes Harvey, Irma and Maria.

During the course of these events, we received numerous Emergency Management Assistance Compact requests from Texas, Florida, and Puerto Rico for Iowa National Guard forces, capabilities, and equipment to assist their communities respond quickly to the devastation.

We sent several helicopters and aircrews to support Texas and Florida, but our largest and most sustained assistance came from the 132nd Wing, Des Moines, and the 185th Air Refueling Wing, Sioux City.

These units deployed 25 Security Forces personnel to Puerto Rico in a moment's notice, established security for critical facilities on the island, including the main airport, and enabled the restoration of electricity and transportation of food, water, and medical supplies.

Iowa's Airmen served in Puerto Rico for nearly two months, until the island was stabilized.

While providing trained and ready Soldiers and Airmen for combat and domestic response missions is the primary focus of the Iowa National Guard, building enduring partnerships comprises our third mission, which is an essential part of our success.

We accomplish our assigned tasks overseas and at home only through the partnerships we forge at the local, state, federal and international levels.

One of the most important collaborations is through our State Partnership Program relationship with the Republic of Kosovo and the Kosovo Security Force.

Since March 2011, the Iowa National Guard and the Kosovo Security Force have enjoyed a strong and dynamic partnership founded on mutual respect and admiration with a common interest in facilitating stability within Eastern Europe.

In support of this program, our Soldiers and Airmen work side-by-side with their Kosovo Security Force counterparts to: develop their Non-Commissioned Officer corps; improve their communications, operational logistics and military medical capabilities; and enhance their ability to respond to natural disasters and cyber threats.

A vital element to the success of this relationship is our whole of society vision, which has expanded this important program of exchanges far beyond the Iowa National Guard.

We now have a fully-functional Republic of Kosovo consulate office located in the heart of downtown Des Moines, working every day to expand cooperation between business and industry, agriculture, education, law enforcement and many other sectors important to both the state of Iowa and the Republic of Kosovo.

Kosovo's relationship with the United States and the State of Iowa is an important factor to maintaining peace and security in the Balkans region and facilitating economic growth and development in Europe's newest democracy.

So important is this partnership to Kosovo that First Deputy Prime Minister Behgjet (buh jet) Pacolli (putz OH lee) is with us this morning to lend his support and cooperation to the continued growth and success of this important partnership.

Please give a warm Iowa welcome to First Deputy Prime Minister Pacolli. Thank you for joining us today.

In addition to the State Partnership Program, we have continued our partnerships with: Home Base Iowa; the "Enlist, Educate, Employ" program with seven Iowa community colleges; and the Governor's Science, Technology, Engineering, and Math, or STEM, and Career and Technical Education, or CTE, programs.

Unique to the Iowa National Guard, we offer a wide variety of education and career opportunities for students interested in STEM and CTE career fields.

This past summer we hosted an Iowa high school teacher from Denver, Iowa as part of a STEM externship program for six weeks.

He spent time at multiple facilities working in a variety of STEM-related career fields, understanding firsthand how to take an educational STEM standard and apply it to a real-life application.

In addition to the externship, we've hosted students and teachers from Harlan, Ottumwa and Davis County High Schools for our STEM Tactical Advantage program, which was held at Camp Dodge and the Des Moines Airbase.

The depth of hands-on learning and connections made to the Core Curriculum through this real world experience had students engaged in significant ways.

Students were able to see first-hand the impact of understanding the science behind how helicopters work and the math behind how unmanned aerial vehicles operate, as well as other real-world examples.

The types of connections made by students during the STEM Tactical Advantage Day gave them exceptional, unique experiences.

These events allowed students and teachers an opportunity to see how we apply STEM and CTE-related skills every day in our normal duties.

Another great partnership we have in the State is with the Iowa National Guard's Counterdrug program and Midwest Counterdrug Training Center.

Our program, which is federally funded through the Department of Defense, has played an important role in helping reduce the supply and demand of illicit drugs in the State of Iowa since 1989, and provides critical training at no cost to local law enforcement personnel, and prevention and treatment professionals.

In the fight against opioids, this year the Counterdrug program trained 340 law enforcement officers across Iowa how to properly administer Narcan, the antidote for opioid overdoses.

Through the assistance of Counterdrug specialists, more than one pound of fentanyl, which equates to more than 171,000 fatal doses, and more than 12 pounds of heroin, were seized and taken off the street in Iowa.

And in 2017, more than \$43 million in drugs and \$3 million in cash and assets were seized from drug dealers in Iowa with the assistance of the Counterdrug program.

Especially important, along with our many partners, the Iowa National Guard is doing our part to stimulate the economy of Iowa, while providing exceptional, multi-functional facilities for our force.

In 2017, military and law enforcement personnel executed more than 465,000 training days on Camp Dodge, and tens of thousands of museum visitors, students and civilians also utilized the post, making it the third busiest National Guard training installation in the United States.

Military, law enforcement and civilian visitors to Camp Dodge pumped more than \$100 million of discretionary spending back into the central Iowa area last year.

Additional economic benefit comes from our military construction projects here in Iowa.

Through the tireless efforts of our Construction and Facilities Management Office, today every armory in the state has been remodeled, refurbished, or rebuilt within the last 25 years.

At the 185th Air Refueling Wing in Sioux City, this past fall we broke ground on a \$12.4 million Composite Support Facility, and in Davenport, we will begin building a \$23 million armory this spring utilizing 100% federal funding, replacing our oldest readiness center in the state.

We continue to work with our federal delegation and the Department of Defense to identify and acquire federal funding for the possible future construction of a joint training facility on Camp Dodge, which could consolidate our military schools, law enforcement and first responder training, and other training requirements for state

agencies into one facility, maximizing infrastructure, eliminating redundancy, and reducing operational costs.

In addition to organizational readiness, finding and developing great people is absolutely essential to our success.

It's critically important that we broaden the scope of military service to include people from across the fabric of our communities, whether from families who have had few serve, to those families with multiple service members, in order to better balance the commitment across society.

Today, the Iowa National Guard's ranks are filled with high-quality patriots, all volunteers, willing to serve, and I am very proud to serve alongside all of them.

These same Soldiers and Airmen that have chosen to serve are very special, as they represent the less than one percent of the nation that is serving in uniform today to protect our state and nation.

What is particularly concerning is the large percentage of U.S. military members who come from the same military families.

According to the Department of Defense, since our country ended the draft in 1973, more than 80% of our service members come from a family where at least one parent, grandparent, aunt or uncle, sibling or cousin has served, and more than 25% of our troops have at least one parent who has served.

We are effectively creating a class in our society that is carrying the burden for the remainder of our citizens.

Given the increased emphasis on the operational role of the National Guard, recruiting high-quality men and women is a key component of my readiness mission.

With only three out of ten 17 to 24 year-olds eligible today for military service due to various reasons, there's significant concern among civilian and military leaders about the future of our military and the readiness of our force to defend this nation in the years ahead.

In order to maintain a strong democracy and free nation, we must encourage our young people to consider military service as a viable and honorable option.

Skills gained from military service can provide a lifetime of professional and personal benefits.

In Iowa, we've been able to maintain our position in personnel readiness in no small measure because of the Iowa National Guard Education Assistance Program, or NGEAP, which the Iowa Legislature has funded in the past at 100%.

NGEAP is the centerpiece of our recruiting efforts and without it, we couldn't have achieved our personnel readiness goals. But NGEAP is so much more than simply a benefit to our Soldiers and Airmen.

This year, more than 1,200 of our members received up to 100% tuition paid at the State Regents' rate to attend Iowa colleges, universities, and community colleges through this program, keeping our young people here in the state and providing them with a high-quality Iowa education.

And also of critical importance to the future success of our force is the opening of all military positions to women for the first time in our nation's history.

Beginning in 2016, Department of Defense policy was revised to enable eligibility for all military jobs, regardless of gender, as long as the service member could meet all of the qualifications for the position.

This policy change opened up more than 1,700 positions in the Iowa National Guard to women for the first time in our history and has provided new opportunities for female Soldiers and Airmen in every corner of the state.

For the first time in the Iowa National Guard, we now have women serving proudly and capably as combat engineers, cavalry and artillery personnel, among other previously male-only specialties across our organization.

There are tremendous opportunities today for both men and women in the Iowa National Guard.

When you combine our National Guard Education Assistance Program, along with the numerous STEM and CTE opportunities, and our committed diversity outreach programs, the Iowa National Guard offers a diverse foundation of education, service, and flexible career options to young Iowans across the state.

Serving in the Iowa National Guard is truly life-changing and inspiring service.

Our country will undoubtedly continue to face significant domestic, global, and fiscal challenges in the future, but your Iowa National Guard is postured to rise to those challenges, ready to transform from civilians to Guardsmen and women on a moment's notice to defend America, at home and abroad, just as we have done continuously since 1839.

I am so very proud of our Soldiers, Airmen, their families, our rich heritage, and our resolve as we continue our role in the preservation of the ideals upon which our nation and state were founded.

On behalf of our men and women and their families, thank you for this opportunity today to provide you an update on the Iowa National Guard.

Thank you.

General Orr was escorted from the House chamber by the committee previously appointed.

Governor Reynolds was escorted from the House chamber by the committee previously appointed.

On motion by Hagenow of Polk, the Joint Convention was dissolved at 10:33 a.m.

Speaker Upmeyer in the chair at 10:35 a.m.

SUBCOMMITTEE ASSIGNMENTS

House File 513

Transportation: Wills, Chair; Heddens and Mohr.

House File 590

Transportation: Worthan, Chair; Bacon and Forbes.

House File 2014

Natural Resources: Cownie, Chair; Breckenridge and Huseman.

Senate File 220

Transportation: Mohr, Chair; Hinson and R. Smith.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 500

Judiciary: Paustian, Chair; Hein and Oldson.

House Study Bill 501

Judiciary: Gustafson, Chair; Jones and Meyer.

House Study Bill 502

Judiciary: Heartsill, Chair; Olson and Rizer.

House Study Bill 503

Judiciary: McKean, Chair; Gustafson and Lensing.

House Study Bill 504

Judiciary: Windschitl, Chair; Koester and Wessel-Kroeschell.

House Study Bill 505

Judiciary: Hein, Chair; Heartsill and Oldson.

House Study Bill 506

Judiciary: Koester, Chair; Bennett and Jones.

House Study Bill 507

Judiciary: Nunn, Chair; Hinson and R. Smith.

House Study Bill 508

Transportation: Hinson, Chair; Huseman and Ourth.

House Study Bill 509

Transportation: R. Taylor, Chair; Hager and P. Miller.

House Study Bill 514

Local Government: Highfill, Chair; Jones and Meyer.

On motion by Hagenow of Polk, the House adjourned at 10:35 a.m., until 10:00 a.m., Friday, January 12, 2018.

JOURNAL OF THE HOUSE

Fifth Calendar Day - Fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, January 12, 2018

The House met pursuant to adjournment at 10:01 a.m., Hagenow of Polk in the chair.

Prayer was offered by Landon of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Owen Landon, grandson of Landon of Polk.

The Journal of Thursday, January 11, 2018, was approved.

INTRODUCTION OF BILLS

House File 2027, by McKean, a bill for an act permitting cities to increase the membership of city utility boards from three members to five members.

Read first time and referred to committee on **Local Government**.

House File 2028, by Anderson, a bill for an act relating to motor vehicles approaching stationary motor vehicles displaying emergency signal lamps, and providing penalties.

Read first time and referred to committee on **Transportation**.

House File 2029, by Koester, a bill for an act authorizing the military service property tax exemption and credit to individuals on active duty, and including effective date and applicability provisions.

Read first time and referred to committee on **Veterans Affairs**.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

AUDITOR OF STATE

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Targeted Small Business Compliance Report, pursuant to Iowa Code section 11.26.

Municipal Oversight Report, pursuant to Iowa Code section 11.6.

BOARD OF REGENTS

Leopold Center for Sustainable Agriculture Report, pursuant to Chapter 168.33, 2017 Iowa Acts.

Patents and Licenses Report, pursuant to Iowa Code section 262B.3.

Grow Iowa Values Fund Report, pursuant to Chapter 141.54, 2013 Iowa Acts.

Technology, Commercialization, Entrepreneurship, Regional Development, and Market Research Report, pursuant to Iowa Code section 262B.3.

UIHC Audited Financial Report, pursuant to Iowa Code section 263A.13.

Beginner Farmer Center Report, pursuant to Iowa Code section 266.39E.

DEPARTMENT OF COMMERCE Insurance Division

Iowa Insurance Information Exchange Report, pursuant to Iowa Code section 505.32.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Utilities Division

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

DEPARTMENT OF HUMAN SERVICES

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13.

DEPARTMENT OF MANAGEMENT

Block Grants Report, pursuant to Iowa Code section 8.22.

Judicial Review Report, pursuant to Iowa Code section 625.29.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

DEPARTMENT OF NATURAL RESOURCES

Mercury-Added Thermostats Report, pursuant to Iowa Code section 455D.16.

Aquatic Invasive Species Report, pursuant to Iowa Code section 462A.52.

DEPARTMENT OF PUBLIC HEALTH

Plumbing and Mechanical Systems Board Report, pursuant to Iowa Code section 105.9.

DEPARTMENT OF TRANSPORTATION

Highway Construction Program Expenditures and Contractual Obligations Report, pursuant to Iowa Code section 307.12.

DEPARTMENT OF VETERANS AFFAIRS

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13.

OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR

Reprieves, Commutations, Pardons, and Remission of Fines Report, pursuant to Iowa Code section 7A.5.

STATE FAIR BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

On motion by Kaufmann of Cedar, the House adjourned at 10:04 a.m., until 10:00 a.m., Tuesday, January 16, 2018.

JOURNAL OF THE HOUSE

Ninth Calendar Day - Sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 16, 2018

The House met pursuant to adjournment at 10:01 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Jonathan Whitfield, Corinthian Baptist Church, Des Moines. He was the guest of Abdul-Samad of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Preston Miller from Hampton-Dumont High School. He was the guest of Speaker Upmeyer.

The Journal of Friday, January 12, 2018, was approved.

SPONSOR ADDED

House File 2018 — Gaskill of Wapello

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 524 Judiciary

Relating to mechanics' liens and public construction liens.

H.S.B. 525 Local Government

Relating to asset forfeiture by eliminating state civil forfeiture and limiting the transfer of seized cash or property to federal law enforcement agencies or other federal authorities for federal civil forfeiture.

H.S.B. 526 Judiciary

Modifying certain provisions relating to personal information security breach protection.

H.S.B. 527 Judiciary

Relating to consumer protection modifying provisions applicable to consumer security freezes.

H.S.B. 528 Commerce

Relating to wrecked or salvage motor vehicles, and making penalties applicable.

H.S.B. 529 Commerce

Concerning choice of automobile repair facilities under automobile liability insurance policies.

H.S.B. 530 Commerce

Relating to the acquisition of water, sanitary sewer, or storm water facilities between public utilities.

H.S.B. 531 Commerce

Relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

H.S.B. 532 Commerce

Relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 13**

Judiciary: Windschitl, Chair; Bennett and Rizer.

House File 92

Education: Jones, Chair; Hager and P. Miller.

House File 106

Natural Resources: Sexton, Chair; Huseman and Prichard.

House File 163 Reassigned

Public Safety: Fisher, Chair; Baudler and Wessel-Kroeschell.

House File 360 Reassigned

Natural Resources: Baxter, Chair; Bearinger and Maxwell.

House File 520

Public Safety: Klein, Chair; Anderson and Hager.

House File 2004

Economic Growth: McKean, Chair; Bloomingdale and Gaskill.

House File 2007

Education: Moore, Chair; R. Smith and Wheeler.

House File 2008

Environmental Protection: Klein, Chair; Kressig and Wheeler.

House File 2015

Public Safety: Salmon, Chair; Abdul-Samad and Wheeler.

House File 2016

State Government: Highfill, Chair; Hunter and Koester.

House File 2017

State Government: Highfill, Chair; Koester and R. Smith.

House File 2018

State Government: Koester, Chair; Highfill and Lensing.

House File 2019

Labor: Klein, Chair; Jacobsen and McConkey.

House File 2020

State Government: Pettengill, Chair; Koester and Winckler.

House File 2025

State Government: Highfill, Chair; Koester and T. Taylor.

House File 2026

State Government: Highfill, Chair; Koester and Steckman.

Senate File 259

Natural Resources: Wills, Chair; Ourth and Zumbach.

Senate File 415 Reassigned

Judiciary: Koester, Chair; McKean and Wolfe.

Senate File 475 Reassigned

Education: Wheeler, Chair; Hanusa, Moore, Nielsen and Steckman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 506

Judiciary: Koester, Chair; Bennett and Jones.

House Study Bill 510

Local Government: Bloomingdale, Chair; Deyoe and Thede.

House Study Bill 511

Local Government: Heartsill, Chair; Bloomingdale and Gaskill.

House Study Bill 512

Local Government: Kaufmann, Chair; Heartsill and Meyer.

House Study Bill 513

Local Government: Landon, Chair; Highfill and Kressig.

House Study Bill 515

Local Government: Heartsill, Chair; McKean and Nielsen.

House Study Bill 518

Public Safety: Kerr, Chair; Fisher and Wessel-Kroeschell.

House Study Bill 519

Public Safety: Klein, Chair; Fry and Kurth.

House Study Bill 520

Public Safety: Klein, Chair; Fry and Kacena.

House Study Bill 521

Public Safety: Holt, Chair; Breckenridge and Salmon.

House Study Bill 522

Public Safety: Klein, Chair; Breckenridge and Fry.

House Study Bill 523

Public Safety: Salmon, Chair; Klein and Kressig.

House Study Bill 524

Judiciary: McKean, Chair; Paustian and R. Smith.

House Study Bill 525

Local Government: Heartsill, Chair; Gassman and Wolfe.

House Study Bill 526

Judiciary: Nunn, Chair; Koester and R. Smith.

House Study Bill 527

Judiciary: Nunn, Chair; Koester and R. Smith.

House Study Bill 528

Commerce: Wills, Chair; Holz and Kacena.

House Study Bill 529

Commerce: Wills, Chair; Holz and Kacena.

House Study Bill 530

Commerce: Landon, Chair; Lundgren and Ourth.

House Study Bill 531

Commerce: Lundgren, Chair; Bloomingdale and McConkey.

House Study Bill 532

Commerce: Lundgren, Chair; Bloomingdale and Kressig.

On motion by Hagenow of Polk, the House adjourned at 10:05 a.m., until 8:30 a.m., Wednesday, January 17, 2018.

JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 17, 2018

The House met pursuant to adjournment at 8:32 a.m., Rogers of Black Hawk in the chair.

Prayer was offered by Pastor Jon Crane, Walnut Creek Church South, Des Moines. He was the guest of Sheets of Appanoose.

The National Anthem was sung by Marisa Spahn from Waukee High School. She was the guest of R. Taylor of Dallas and Speaker Upmeyer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Young Patriots Club of Des Moines. They were the guests of Hagenow of Polk.

The Journal of Tuesday, January 16, 2018, was approved.

INTRODUCTION OF BILLS

House File 2030, by Staed, a bill for an act striking certain statutory repeal provisions relating to the state sales and use tax and the secure an advanced vision for education fund.

Read first time and referred to committee on **Education**.

House File 2031, by Fisher, Wheeler, Sheets, Salmon, Watts, Gassman, Holt, Baxter, Lundgren, Hager, Heartsill, and Kerr, a bill for an act relating to elective social studies courses emphasizing religious scripture that school districts may offer and teach.

Read first time and referred to committee on **Education**.

House File 2032, by Heaton, a bill for an act relating to subacute mental health care facilities and the psychiatric bed tracking system.

Read first time and referred to committee on **Human Resources**.

House File 2033, by Heartsill, Pettengill, Sheets, Wheeler, Fisher, Landon, Kerr, Hager, Carlson, Gustafson, Wills, Salmon, Lundgren, Hinson, Huseman, Watts, and Kaufmann, a bill for an act providing for the designation of voluntary income tax contributions on the Iowa individual income tax return and including retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2034, by M. Smith, a bill for an act concerning the release and publication of the federal income tax returns of candidates for president of the United States as a condition for placement on the ballot.

Read first time and referred to committee on **Ways and Means**.

SPONSORS ADDED

House File 436 — Staed of Linn

House File 2002 — Breckenridge of Jasper

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 533 Transportation

Relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

H.S.B. 534 Transportation

Relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

H.S.B. 535 Transportation

Relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

H.S.B. 536 Transportation

Relating to the administration of driving skills tests required for a commercial driver's license.

H.S.B. 537 Transportation

Relating to department of transportation employees designated as peace officers, and including effective date provisions.

H.S.B. 538 Veterans Affairs

Concerning the department of veterans affairs relating to membership on the commission of veterans affairs, expenditures from the veterans trust fund, and providing an appropriation to the state veterans cemetery account.

H.S.B. 539 Environmental Protection

Relating to the level of fees imposed pursuant to the land recycling program.

H.S.B. 540 Veterans Affairs

Concerning the display of the POW/MIA flag on public buildings.

H.S.B. 541 Judiciary

Relating to kidnapping in the second degree, and providing penalties.

H.S.B. 542 Judiciary

Relating to the statute of limitations period for executing judgments on claims for rent.

H.S.B. 543 Judiciary

Relating to the definition of dangerous weapons to include simulated firearms.

SUBCOMMITTEE ASSIGNMENTS

House File 428

Judiciary: Nunn, Chair; Heartsill and Lensing.

House File 477

Ways and Means: Maxwell, Chair; Bennett and Mohr.

House File 484

Agriculture: Klein, Chair; Baudler and Hall.

House File 613

Ways and Means: Windschitl, Chair; Forbes, Kaufmann, Kearns and Mohr.

House File 2012

Judiciary: Windschitl, Chair; Rizer and Wolfe.

House File 2022

Judiciary: Windschitl, Chair; Rizer and Wolfe.

House File 2027

Local Government: McKean, Chair; Bloomingdale and Lensing.

House File 2034

Ways and Means: Vander Linden, Chair; McConkey and Windschitl.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 514

Local Government: Highfill, Chair; Jones and Meyer.

House Study Bill 516

Human Resources: Moore, Chair; Heddens and R. Taylor.

House Study Bill 517

Human Resources: Koester, Chair; Bergan and Hunter.

House Study Bill 538

Veterans Affairs: Gustafson, Chair; Baxter and Staed.

House Study Bill 539

Environmental Protection: Kerr, Chair; Kurth and Rizer.

House Study Bill 540

Veterans Affairs: Gustafson, Chair; Kacena and Salmon.

On motion by Hagenow of Polk, the House adjourned at 8:42 a.m., until 8:30 a.m., Thursday, January 18, 2018.

JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 18, 2018

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Todd Stiles, First Family Church, Ankeny. He was the guest of Koester of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Paul Attema, Page from Pella.

The Journal of Wednesday, January 17, 2018, was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2001, by Wheeler, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the abolishment of retention elections for supreme court justices.

Read first time and referred to committee on **Judiciary**.

House Joint Resolution 2002, by Wheeler, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the terms of supreme court justices.

Read first time and referred to committee on **Judiciary**.

House File 2035, by Prichard, a bill for an act relating to the status of employees of the judicial district departments of correctional services.

Read first time and referred to committee on **Judiciary**.

House File 2036, by Wheeler, a bill for an act relating to the salary of supreme court justices.

Read first time and referred to committee on **Judiciary**.

House File 2037, by Baxter, Ourth, Heartsill, Hager, Moore, Jacobsen, Brown-Powers, R. Smith, Holt, Anderson, Thede, Maxwell, Hein, Zumbach, Salmon, Koester, Klein, Rogers, Wills, Prichard, Meyer, Wessel-Kroeschell, Watts, Kaufmann, Pettengill, Forbes, Lensing, and Hunter, a bill for an act relating to damages assessed for engaging in prohibited actions involving eagles, and making penalties applicable.

Read first time and referred to committee on **Natural Resources**.

House File 2038, by Hager, a bill for an act relating to the nonreversion or reallocation of moneys appropriated to state departments, institutions, or agencies.

Read first time and referred to committee on **Appropriations**.

House File 2039, by Staed, a bill for an act providing an extended period for appeals to city civil service commissions in circumstances involving a criminal conviction.

Read first time and referred to committee on **Judiciary**.

House File 2040, by Prichard, a bill for an act relating to the review of a child support order based upon an obligor's qualification for a low-income adjustment.

Read first time and referred to committee on **Judiciary**.

House File 2041, by Mommsen, a bill for an act relating to reinstatement of lapsed use restrictions within a common interest community and including applicability provisions.

Read first time and referred to committee on **Judiciary**.

House File 2042, by Grassley, a bill for an act relating to the issuance of senior crossbow deer hunting licenses.

Read first time and referred to committee on **Natural Resources**.

House File 2043, by Hager, a bill for an act relating to the availability for lease or purchase of state-owned real property that is vacant for specified periods of time.

Read first time and referred to committee on **State Government**.

House File 2044, by Jacoby, a bill for an act relating to claims arising from state employees committing sexual harassment in the workplace.

Read first time and referred to committee on **State Government**.

House File 2045, by Pettengill, a bill for an act establishing a veterans recovery pilot program and fund for the reimbursement of expenses related to providing hyperbaric oxygen treatment to eligible veterans.

Read first time and referred to committee on **Veterans Affairs**.

House File 2046, by Jacoby, a bill for an act relating to the collection of sales and use taxes by certain out-of-state retailers, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2047, by Jacoby, a bill for an act creating a legislative tax credit review committee as a committee of the legislative council.

Read first time and referred to committee on **Ways and Means**.

SPONSOR ADDED

House File 436 — Gaskill of Wapello

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

BOARD OF EDUCATIONAL EXAMINERS

Administrative Rules Review Report, pursuant to Iowa Code section 272.29.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Foreign Animal Diseases Afflicting Livestock Interim Report, pursuant to Chapter 168.27, 2017 Iowa Acts.

DEPARTMENT OF COMMERCE
Banking Division

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

Qualified Student Loan Bond Issuer Report, pursuant to Iowa Code section 7C.13.

DEPARTMENT OF EDUCATION

Antibullying Program Report, pursuant to Chapter 140.6, 2015 Iowa Acts.

Senior Year Plus Program Report, pursuant to Iowa Code section 261E.3.

English Language Learner Report, pursuant to Iowa Code section 256.9.

Competency-Based Education Pilot and Demonstration Project Report, pursuant to Iowa Code section 256.24.

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14.

Iowa Community Colleges ACE Infrastructure Report, pursuant to Iowa Code section 260G.

Workforce Training and Economic Development Fund Report, pursuant to Iowa Code section 260C.18A.

Gap Tuition Assistance Program Report, pursuant to Iowa Code section 260I.

Enrich Iowa Program Report, pursuant to Iowa Code section 256.57.

Supplemental Assistance for High-Need Schools Report, pursuant to Iowa Code section 284.11.

Iowa Reading Research Center Report, pursuant to Iowa Code section 256.9.

Adult Education and Literacy Program Report, pursuant to Iowa Code section 260C.50.

Additional Data Report, pursuant to Iowa Code section 260C.14.

Job Placement of Individuals with Disabilities Report, pursuant to Chapter 140.6, 2015 Iowa Acts.

Pathways for Academic Career and Employment Program Report, pursuant to Iowa Code section 260H.

Online Learning in Iowa Report, pursuant to Iowa Code section 256.7.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Flood Mitigation Board Report, pursuant to Iowa Code section 418.8.

Consolidation Plan of Next Generation 911 Network Report, pursuant to Chapter 136.18, 2017 Iowa Acts.

DEPARTMENT OF MANAGEMENT

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9.

Early Childhood Iowa State Board Report, pursuant to Iowa Code section 256I.4.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

DEPARTMENT OF NATURAL RESOURCES

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22.

DEPARTMENT OF TRANSPORTATION

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22.

ECONOMIC DEVELOPMENT AUTHORITY

Commission on Volunteer Services Report, pursuant to Iowa Code section 15H.2.

LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7.

STUDENT LOAN LIQUIDITY CORPORATION

Iowa Student Loan Year in Review Report, pursuant to Iowa Code section 7C.13.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 544 Commerce

Relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

H.S.B. 545 Commerce

Permitting optical fiber additions on certain easements, providing remedies, and including retroactive applicability provisions.

H.S.B. 546 Commerce

Defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

H.S.B. 547 Human Resources

Relating to the temporary emergency removal of a child from the child's home and background investigations on adult persons with whom a child is placed, and providing fees.

H.S.B. 548 State Government

Establishing a retirement savings plan trust, making appropriations, and including contingent implementation and effective date provisions.

H.S.B. 549 State Government

Relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

H.S.B. 550 State Government

Relating to the inspection and examination of certain public records under the custody of the state archivist.

H.S.B. 551 State Government

Relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions.

H.S.B. 552 Public Safety

Relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

H.S.B. 553 Public Safety

Relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

H.S.B. 554 Public Safety

Relating to inmate reading rooms in correctional institutions.

H.S.B. 555 Public Safety

Relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

H.S.B. 556 Veterans Affairs

Providing for procedures relating to a denial of admission to the Iowa veterans home.

SUBCOMMITTEE ASSIGNMENT**House File 2045**

Veterans Affairs: Salmon, Chair; Hanusa and Prichard.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 533**

Transportation: Maxwell, Chair; Bacon and Cohoon.

House Study Bill 534

Transportation: Mohr, Chair; Jacoby and Sieck.

House Study Bill 535

Transportation: Worthan, Chair; Bacon and Forbes.

House Study Bill 536

Transportation: Hinson, Chair; Cohoon and Hager.

House Study Bill 537

Transportation: Worthan, Chair; R. Smith and Wills.

House Study Bill 541

Judiciary: Paustian, Chair; Gustafson and Olson.

House Study Bill 542

Judiciary: McKean, Chair; Jones and Wessel-Kroeschell.

House Study Bill 542 Reassigned

Judiciary: McKean, Chair; Paustian and Wessel-Kroeschell.

House Study Bill 543

Judiciary: Windschitl, Chair; Gustafson and Meyer.

House Study Bill 544

Commerce: Pettengill, Chair; Forbes and Landon.

House Study Bill 545

Commerce: Landon, Chair; Holz and Jacoby.

House Study Bill 546

Commerce: Wills, Chair; Holz and Kacena.

House Study Bill 548

State Government: Highfill, Chair; Koester and Mascher.

House Study Bill 549

State Government: Bergan, Chair; Hunter and Kaufmann.

House Study Bill 550

State Government: Zumbach, Chair; Lensing and Watts.

House Study Bill 551

State Government: Bergan, Chair; Koester and Winckler.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Senate File 360, a bill for an act relating to the newborn safe haven Act.

Fiscal Note: **No**

Recommendation: **Do Pass** January 17, 2018.

RESOLUTION FILED

H.C.R. 104, by Wessel-Kroeschell, Lensing, Staed, Olson, Steckman, Kressig, Meyer, Jacoby, McConkey, Winckler, Hunter, Anderson, Running-Marquardt, R. Smith, Abdul-Samad, Forbes, Bennett, Brown-Powers, Isenhardt, H. Miller, and Kurth, a concurrent resolution urging Congress and the President of the United States to reclassify cannabis as a schedule II controlled substance under the United States Controlled Substances Act.

Laid over under **Rule 25**.

On motion by Hagenow of Polk, the House adjourned at 8:39 a.m., until 1:00 p.m., Monday, January 22, 2018.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 22, 2018

The House met pursuant to adjournment at 1:00 p.m., Speaker Upmeyer in the chair.

God Bless America was sung by Jill Barr, Mrs. Iowa America 2017 from Spencer. She was the guest of Jones of Clay and Wills of Dickinson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Elisabeth Balke, Page from Maxwell.

The Journal of Thursday, January 18, 2018, was approved.

INTRODUCTION OF BILLS

House File 2048, by Gaskill, a bill for an act relating to the payment of utilities and services included in rental agreements for manufactured home communities and mobile home parks.

Read first time and referred to committee on **Commerce**.

House File 2049, by Sexton, a bill for an act relating to continuation of health care coverage for certain surviving spouses and children of peace officers killed in the line of duty, and including applicability provisions.

Read first time and referred to committee on **Commerce**.

House File 2050, by Fisher, a bill for an act relating to the fee for new registration for repaired motor vehicles previously titled under a salvage certificate of title.

Read first time and referred to committee on **Commerce**.

House File 2051, by Nunn, a bill for an act relating to the posting by schools of the department of human services' child abuse hotline telephone number.

Read first time and referred to committee on **Education**.

House File 2052, by Carlson, a bill for an act relating to eligible providers under the state family planning services program.

Read first time and referred to committee on **Human Resources**.

House File 2053, by Heaton, a bill for an act relating to income and resource disregards used to determine family investment program eligibility.

Read first time and referred to committee on **Human Resources**.

House File 2054, by Wheeler, a bill for an act relating to the limitations of criminal actions in kidnapping offenses, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2055, by Heartsill, a bill for an act providing for certain items relating to milk to be transferred directly by operators of dairy farms, providing for the labeling of unpasteurized and ungraded milk and products, and making penalties applicable.

Read first time and referred to committee on **Local Government**.

House File 2056, by Heartsill, a bill for an act relating to the use of milk derived from dairy animals for the personal consumption or use of the animal's owner.

Read first time and referred to committee on **Local Government**.

House File 2057, by Heartsill, a bill for an act relating to dairy items, including unpasteurized or ungraded milk or milk products, produced at a dairy farm and sold to an individual for use as commercial feed, and making penalties applicable.

Read first time and referred to committee on **Local Government**.

House File 2058, by Prichard, a bill for an act relating to the use of a muzzleloading rifle, musket, or pistol when taking deer.

Read first time and referred to committee on **Natural Resources**.

House File 2059, by Jones and Rizer, a bill for an act relating to the presence of a sex offender upon the real property of a public or nonpublic elementary or secondary school.

Read first time and referred to committee on **Public Safety**.

House File 2060, by Sexton, a bill for an act relating to computation of overtime for state employees who serve as volunteer emergency services providers.

Read first time and referred to committee on **State Government**.

House File 2061, by Mascher, a bill for an act providing for the licensure of clinical art therapists, making penalties applicable, providing for fees, and including effective date and implementation provisions.

Read first time and referred to committee on **State Government**.

House File 2062, by Salmon, a bill for an act exempting specified real property owners from electrical and plumbing licensure requirements.

Read first time and referred to committee on **State Government**.

House File 2063, by Mohr, a bill for an act relating to Iowa's urban renewal law by modifying requirements for the annual report prepared by the legislative services agency, establishing restrictions on the use of divided taxes, modifying the conditions for establishing certain urban renewal areas, imposing duration limits on certain urban renewal areas, excluding certain property taxes from a division of taxes, and including effective date and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2064, by Wheeler, a bill for an act creating a money transfer service fee and related income tax credit, providing for deposit of the fees in the natural resources and outdoor recreation trust fund, making penalties applicable, providing a contingency for repeal, and including retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2065, by Wolfe, a bill for an act prohibiting the mistreatment of animals excluding livestock or unconfined wildlife, providing reporting requirements, providing for criminal offenses, and including penalties.

Read first time and referred to committee on **Agriculture**.

House File 2066, by Wolfe, a bill for an act relating to the expungement of simple misdemeanor offenses.

Read first time and referred to committee on **Judiciary**.

House File 2067, by Wolfe, a bill for an act relating to the possession, delivery, or possession with intent to deliver marijuana, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2068, by Wolfe, a bill for an act concerning limits on reappointing members of the state racing and gaming commission and including applicability provisions.

Read first time and referred to committee on **State Government**.

House File 2069, by Rizer, a bill for an act modifying the sales and use tax exemption for the sale of certain component parts attached to or services performed on aircraft.

Read first time and referred to committee on **Ways and Means**.

**SUPPLEMENTAL REPORT OF
COMMITTEE ON CREDENTIALS**

MADAM SPEAKER: We, your committee on credentials, respectfully report that we find the following person duly elected to and entitled to a seat in the House of Representatives of the Eighty-seventh General Assembly as show by this duplicate copy of the certificate of election on file in the office of the Secretary of State:

Jacob Bossman, House District 6

In accordance with Iowa Code Section 2.5, the Committee on Credentials has reviewed the certification of the January 16, 2018 Special Election from Iowa Secretary of State Paul D. Pate, which is attached hereto and incorporated by this reference.

Gary Carlson, Chair
Ross Paustian
Skyler Wheeler
John Forbes
Phyllis Thede

**Office of the Secretary of State
CERTIFICATION**

To the Honorable Chief Clerk of the House:

I, PAUL D. PATE, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at the Special Election held on January 16, 2018, the following named person was duly elected to the office of State Representative for the residue of the term ending January 1, 2019:

6th District Jacob Bossman

(Seal)

In testimony whereof, I have hereunto set my hand and affixed the seal of the Secretary of State at the Statehouse in Des Moines this 22nd day of January, 2018.

PAUL D. PATE, Secretary of State

I hereby acknowledge receipt of the original copy of this document on this 22nd day of January, 2018.

CARMINE BOAL, Chief Clerk of the House

Carlson of Muscatine moved that the supplemental report of the committee on credentials be adopted.

The motion prevailed and the supplemental report was adopted.

MEMBER OATH OF OFFICE

The following oath of office was administered to Representative-elect Jacob Bossman of Woodbury County by the Chief Clerk on January 22, 2018:

"I do solemnly swear, that I will support the Constitution of the United States, and the Constitution of the State of Iowa, and that I will faithfully discharge the duties of Representative, according to the best of my ability, so help me God."

JACOB BOSSMAN

SEAT ASSIGNMENT

NameSeat Assignment
Jacob Bossman.....10

COMMITTEE ASSIGNMENTS

Bossman, Jacob
Education
Judiciary
Veterans Affairs
Justice System Appropriations Subcommittee

COMMITTEE REVISION

The Speaker announced the following committee revision effective immediately:

Judiciary
Nunn replaced Baltimore as Chair

On motion by Hagenow of Polk, the House was recessed at 1:13 p.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:12 p.m., Windschitl of Harrison in the chair.

HOUSE FILE 2049 REREFERRED

The Speaker announced that House File 2049, previously referred to committee on **Commerce** was rereferred to committee on **State Government**.

SPONSOR ADDED

House File 2065 — Staed of Linn

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 557 Commerce**

Prohibiting pyramid promotional schemes and making penalties applicable.

H.S.B. 558 Commerce

Relating to the independent contractor status of marketplace contractors performing services through the use of marketplace platforms and including retroactive applicability provisions.

H.S.B. 559 Commerce

Relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

H.S.B. 560 State Government

Relating to amusement concessions concerning allowable games and prizes and including effective date provisions.

H.S.B. 561 Education

Relating to terminology changes in education-related Iowa Code references to foreign languages.

H.S.B. 562 Education

Relating to the expiration date of a license issued by the board of educational examiners.

H.S.B. 563 Education

Expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

H.S.B. 564 Education

Relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

H.S.B. 565 State Government

Concerning the establishment of pilot programs related to elections by the state commissioner of elections.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 2002**

Judiciary: Windschitl, Chair; Gustafson and Oldson.

House File 221 Reassigned

Education: Gassman, Chair; Bossman and Staed.

House File 2037

Natural Resources: Baxter, Chair; Kerr and Thede.

House File 2040

Judiciary: Heartsill, Chair; Bennett and Koester.

House File 2041

Judiciary: Heartsill, Chair; Baltimore and Wolfe.

House File 2042

Natural Resources: Zumbach, Chair; Fisher and H. Miller.

House File 2043

State Government: Zumbach, Chair; Kaufmann and Oldson.

House File 2047

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2060

State Government: Sexton, Chair; R. Smith and Zumbach.

House File 2061

State Government: Highfill, Chair; Koester and Mascher.

House File 2068

State Government: Highfill, Chair; Cohoon and Koester.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 556**

Veterans Affairs: Watts, Chair; Gaines and Salmon.

House Study Bill 557

Commerce: Landon, Chair; Holz and Ourth.

House Study Bill 558

Commerce: Mohr, Chair; Bloomingdale and Kacena.

House Study Bill 559

Commerce: Wills, Chair; Best and McConkey.

House Study Bill 561

Education: Jacobsen, Chair; Gaines and Hager.

House Study Bill 562

Education: Moore, Chair; Brown-Powers and Gassman.

House Study Bill 563

Education: Salmon, Chair; Mascher and Moore.

House Study Bill 564

Education: Jacobsen, Chair; Breckenridge and Mommsen.

On motion by Klein of Washington, the House adjourned at 5:12 p.m., until 8:30 a.m., Tuesday, January 23, 2018.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 23, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Paul Holmer, Immanuel Lutheran Church, Clinton. He was the guest of Mommsen of Clinton and Wolfe of Clinton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Josie Srp, guest of Mommsen of Clinton and Wolfe of Clinton.

The Journal of Monday, January 22, 2018, was approved.

INTRODUCTION OF BILLS

House File 2070, by Anderson, a bill for an act providing labeling requirements for household hazardous plants, and making penalties applicable.

Read first time and referred to committee on **Commerce**.

House File 2071, by Holt, a bill for an act relating to community college accreditation.

Read first time and referred to committee on **Education**.

House File 2072, by Grassley, a bill for an act establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

House File 2073, by Fry, a bill for an act relating to the authorized expenditure of funds for school programs serving at-risk

students, alternative schools, returning dropouts, and potential dropouts and including applicability provisions.

Read first time and referred to committee on **Education**.

House File 2074, by Salmon, a bill for an act relating to driver's license suspensions and revocations for operating-while-intoxicated offenses.

Read first time and referred to committee on **Judiciary**.

House File 2075, by Anderson, Staed, Steckman, Lensing, Meyer, Kurth, Thede, H. Miller, Hunter, and Mascher, a bill for an act prohibiting the manufacture, possession, shipment, transportation, or receipt of a multi-burst trigger activator, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2076, by Anderson, Staed, Gaskill, R. Smith, Abdul-Samad, Winckler, Meyer, Kurth, H. Miller, Hunter, and Kearns, a bill for an act prohibiting employers and employment agencies from seeking the criminal record or criminal history from applicants under certain circumstances and providing penalties.

Read first time and referred to committee on **Labor**.

House File 2077, by Highfill, a bill for an act relating to purse agreements concerning horse racing regulated by the racing and gaming commission.

Read first time and referred to committee on **State Government**.

House File 2078, by Highfill, a bill for an act modifying provisions relating to horse racing regulated by the racing and gaming commission.

Read first time and referred to committee on **State Government**.

House File 2079, by Landon, a bill for an act relating to annual reports on the replacement and repair of structurally deficient bridges.

Read first time and referred to committee on **Transportation**.

House File 2080, by Highfill, a bill for an act providing for the issuance and display of one motor vehicle registration plate.

Read first time and referred to committee on **Transportation**.

The House stood at ease at 8:36 a.m., until the fall of the gavel.

The House resumed session at 9:49 a.m., Speaker Upmeyer in the chair.

HOUSE RECEDES

Wills of Dickinson called up for consideration **Senate File 512**, a bill for an act relating to water quality by amending the wastewater treatment financial assistance program, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making transfers and appropriations and other changes properly related to water quality, and including effective date provisions, amended by the House and moved that the House recede from its amendment.

Roll call was requested by Wills of Dickinson and M. Smith of Marshall.

On the question "Shall the House recede from its amendment?" (S.F. 512)

The ayes were, 54:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Heartsill	Heaton
Hein	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Wheeler	Wills	Windschitl	Worthan
Zumbach	Speaker Upmeyer		

The nays were, 46:

Abdul-Samad	Anderson	Baltimore	Bearinger
Bennett	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Forbes	Gaines	Gaskill
Hall	Hanusa	Heddens	Highfill
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, none.

The motion prevailed and the House recesses.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 512)

The ayes were, 59:

Bacon	Baudler	Baxter	Bearinger
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Miller, H.	Mohr	Mommsen	Moore
Nunn	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Watts	Wheeler	Wills	Windschitl
Worthan	Zumbach	Speaker	
		Upmeyer	

The nays were, 41:

Abdul-Samad	Anderson	Baltimore	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanusa	Heddens	Highfill	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, P.	Nielsen
Oldson	Olson	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Vander Linden	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 512** be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 10:39 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:01 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2003, by Hinson and Anderson, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

Read first time and referred to committee on **Judiciary**.

House File 2081, by Steckman, Hunter, Lensing, Winckler, Kurth, Staed, Mascher, Kressig, Jacoby, Isenhardt, Oldson, Bennett, Kacena, Meyer, T. Taylor, Anderson, Gaskill, and Wolfe, a bill for an act establishing an advisory committee to evaluate the use and value of the master matrix when approving a permit to construct a

confinement feeding operation structure, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2082, by Steckman, Hunter, Lensing, Winckler, Kurth, Staed, Mascher, Jacoby, Oldson, Meyer, Thede, Kearns, and T. Taylor, a bill for an act relating to animal agriculture, by providing for a public hearing conducted by the board of supervisors in a county where a structure associated with a confinement feeding operation is proposed to be constructed, including expanded, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2083, by Steckman, Hunter, Staed, Mascher, Jacoby, Oldson, Bennett, Meyer, Kurth, and Anderson, a bill for an act establishing a moratorium relating to the construction, including expansion, of structures that are part of certain confinement feeding operations where swine are kept, requesting an interim study committee, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2084, by Steckman, Staed, Mascher, Jacoby, Isenhardt, Oldson, Kacena, Meyer, Kurth, Hunter, Kearns, Anderson, and Gaskill, a bill for an act requiring a notice of structural failure involving a manure storage structure that is part of a confinement feeding operation, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2085, by Jones and Gassman, a bill for an act relating to eligibility for school transportation for elementary pupils who are provided child care in a child care home.

Read first time and referred to committee on **Education**.

House File 2086, by Steckman, Hunter, Lensing, Winckler, Kurth, Staed, Mascher, Kressig, Jacoby, Oldson, Bennett, Kacena,

Meyer, Kearns, T. Taylor, and Anderson, a bill for an act authorizing counties to adopt county legislation relating to the siting of confinement feeding operations.

Read first time and referred to committee on **Agriculture**.

House File 2087, by Jones, a bill for an act authorizing a receiving school district to send school vehicles into a district of residence to transport a pupil participating in open enrollment to and from school.

Read first time and referred to committee on **Education**.

House File 2088, by Jones and Gustafson, a bill for an act prohibiting the use of a patient's protected health information by a hospital for fundraising communications.

Read first time and referred to committee on **Human Resources**.

House File 2089, by Vander Linden, a bill for an act prohibiting the mistreatment of service dogs, including acts of interference or cruelty, and providing for penalties.

Read first time and referred to committee on **Judiciary**.

House File 2090, by Heartsill, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim.

Read first time and referred to committee on **Judiciary**.

House File 2091, by Heartsill, a bill for an act relating to electronic and mechanical eavesdropping.

Read first time and referred to committee on **Public Safety**.

House File 2092, by Forbes, a bill for an act requiring minors to wear helmets while riding motorcycles, motorized bicycles, and all-terrain vehicles, and providing penalties.

Read first time and referred to committee on **Transportation**.

House File 2093, by Steckman, Hunter, Staed, Mascher, Jacoby, Oldson, Bennett, Meyer, Kurth, and Kearns, a bill for an act relating to a tax credit for pollution-control and recycling property connected to property used for the care and feeding of livestock, and including effective date and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2094, by Worthan, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Read first time and referred to committee on **Public Safety**.

House File 2095, by Breckenridge, a bill for an act limiting campaign contributions to certain candidates and making civil and criminal penalties applicable.

Read first time and referred to committee on **State Government**.

House File 2096, by Jacoby, a bill for an act relating to the midwest interstate passenger rail compact, and including effective date provisions.

Read first time and referred to committee on **Transportation**.

House File 2097, by Jacoby and Kearns, a bill for an act relating to the taxation under the state corporate income tax, franchise tax, and insurance companies tax of compensation paid by a publicly held corporation to its chief executive officer, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2098, by Jacoby, a bill for an act creating the Iowa job training tax credit program and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

HOUSE FILE 2003 REREFERRED

The Speaker announced that House File 2003, previously referred to committee on **Commerce** was rereferred to committee on **State Government**.

SPONSOR ADDED

House File 2033 — Holt of Crawford

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 566 Natural Resources

Relating to conservation and recreation policies and programs within the department of natural resources.

H.S.B. 567 Human Resources

Relating to the practice of polysomnography.

H.S.B. 568 Local Government

Regarding competitive bidding requirements for construction by a private party of property to be leased or lease-purchased by certain government entities and including effective date and applicability provisions.

H.S.B. 569 Public Safety

Creating a capital murder offense by establishing the penalty of death for murder in the first degree, and including effective date and applicability provisions.

H.S.B. 570 Ways and Means

Relating to parent-taught driver education and providing for a fee.

H.S.B. 571 Environmental Protection

Relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

H.S.B. 572 Commerce

Relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2001

Commerce: Holz, Chair; Fisher and Jacoby.

House File 2006

Education: Jones, Chair; Brown-Powers and Wheeler.

House File 2024

State Government: Zumbach, Chair; Oldson and Watts.

House File 2031

Education: Wheeler, Chair; Mascher and Salmon.

House File 2044

State Government: Highfill, Chair; Koester and Sexton.

House File 2050

Commerce: Fisher, Chair; Bloomingdale and Kacena.

House File 2059

Public Safety: Salmon, Chair; Gaines and Sheets.

House File 2070

Commerce: Cownie, Chair; Grassley and Oldson.

House File 2071

Education: Wheeler, Chair; Breckenridge and Salmon.

House File 2072

Education: Bossman, Chair; P. Miller and Moore.

House File 2073

Education: Bossman, Chair; Fry and Gaines.

House File 2076

Labor: Wheeler, Chair; Hunter and Watts.

House File 2077

State Government: Highfill, Chair; Moore and T. Taylor.

House File 2078

State Government: Highfill, Chair; Moore and T. Taylor.

Senate File 481

Public Safety: Holt, Chair; Breckenridge and Heartsill.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 533 Reassigned**

Transportation: Maxwell, Chair; Huseman and Olson.

House Study Bill 547

Human Resources: Holt, Chair; Dolecheck and Mascher.

House Study Bill 552

Public Safety: Worthan, Chair; Kerr and Kressig.

House Study Bill 553

Public Safety: Wheeler, Chair; Fisher and Kurth.

House Study Bill 554

Public Safety: Klein, Chair; Fry and Kurth.

House Study Bill 555

Public Safety: Heartsill, Chair; Abdul-Samad and Sheets.

House Study Bill 560

State Government: Moore, Chair; Cohoon and Cownie.

House Study Bill 565

State Government: Kaufmann, Chair; Hunter and Watts.

House Study Bill 566

Natural Resources: Sexton, Chair; Maxwell and Ourth.

House Study Bill 567

Human Resources: R. Taylor, Chair; Bacon and Brown-Powers.

House Study Bill 568

Local Government: Landon, Chair; Deyoe, Highfill, Meyer and Staed.

House Study Bill 569

Public Safety: Holt, Chair; Anderson and Heartsill.

House Study Bill 571

Environmental Protection: McKean, Chair; Gassman and Winckler.

House Study Bill 572

Commerce: Vander Linden, Chair; Forbes and Mohr.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 2013), relating to the assessment of fees when a public defender or designee requests copies of certain documents.

Fiscal Note: **No**

Recommendation: **Do Pass** January 23, 2018.

Committee Bill (Formerly House Study Bill 512), prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 23, 2018.

RESOLUTION FILED

H.R. 101, by Watts, a resolution congratulating the Van Meter High School Bulldogs football team on winning the Iowa High School Athletic Association Class 1A State Championship.

Laid over under **Rule 25**.

On motion by Hagenow of Polk, the House adjourned at 4:05 p.m., until 8:30 a.m., Wednesday, January 24, 2018.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 24, 2018

The House met pursuant to adjournment at 8:30 a.m., Holt of Crawford in the chair.

Prayer was offered by Nermin Spahic, Imam from Des Moines. He was the guest of Abdul-Samad of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Autumn Boettger, Page from Cambridge.

The Journal of Tuesday, January 23, 2018, was approved.

INTRODUCTION OF BILLS

House File 2099, by Winckler, a bill for an act relating to administration of the meningococcal vaccine by a licensed pharmacist.

Read first time and referred to committee on **Human Resources**.

House File 2100, by Bacon, a bill for an act relating to driver's licenses valid for the operation of motor scooters.

Read first time and referred to committee on **Transportation**.

House File 2101, by Fry, a bill for an act relating to petitions to reclassify secondary roads with certain area service classifications.

Read first time and referred to committee on **Transportation**.

On motion by Nunn of Polk, the House was recessed at 8:42 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:05 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2004, by Heartsill, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the appointment of supreme court justices and district judges.

Read first time and referred to committee on **Judiciary**.

House Joint Resolution 2005, by Cownie, a joint resolution proposing an amendment to the Constitution of the State of Iowa limiting years of service for members of the general assembly.

Read first time and referred to committee on **State Government**.

House File 2102, by Heddens and Bacon, a bill for an act relating to the expenses of bringing certain dispute of denial of coverage actions under property and casualty insurance.

Read first time and referred to committee on **Commerce**.

House File 2103, by Hinson and Breckenridge, a bill for an act relating to supplemental reimbursement for publicly owned or operated ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

Read first time and referred to committee on **Local Government**.

House File 2104, by Staed, Mascher, Kearns, T. Taylor, Steckman, Winckler, Lensing, Gaines, Kurth, Hunter, Meyer, Kressig, R. Smith, Abdul-Samad, Olson, Bennett, and Jacoby, a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

House File 2105, by Fisher, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney.

Read first time and referred to committee on **Judiciary**.

House File 2106, by Heartsill, a bill for an act providing for the constitutionality of statutes and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 2107, by Kacena, McConkey, Kearns, Hunter, Kurth, Staed, Oldson, Bennett, Steckman, Gaskill, Cohoon, Wolfe, Winckler, Lensing, Gaines, H. Miller, Breckenridge, Nielsen, Mascher, Ourth, T. Taylor, Brown-Powers, Heddens, and Hall, a bill for an act relating to employee organization elections administered by the public employment relations board and including effective date and applicability provisions.

Read first time and referred to committee on **Labor**.

House File 2108, by Heartsill, a bill for an act relating to the baiting of deer on public or private property, and making penalties applicable.

Read first time and referred to committee on **Natural Resources**.

House File 2109, by Wolfe, a bill for an act requesting an interim committee relating to confidentiality provisions under Iowa's open records law.

Read first time and referred to committee on **State Government**.

House File 2110, by Cownie, a bill for an act requiring investment managers and consultants for the Iowa public employees' retirement system to be located in this state and including an applicability provision.

Read first time and referred to committee on **State Government**.

House File 2111, by Heartsill, a bill for an act relating to controversies involving fence viewers.

Read first time and referred to committee on **Agriculture**.

House File 2112, by Wolfe and Mommsen, a bill for an act relating to demolition reserves on fire and casualty claims on real property located within a city and requesting an interim study on such reserves.

Read first time and referred to committee on **Commerce**.

House File 2113, by Isenhardt, a bill for an act relating to the state's workers' compensation laws by modifying alternate care procedures for medical treatment, creating registries of physicians who treat and evaluate work-related injuries, providing for the retention of a medical director, creating a state workplace injury care providers registry fund, establishing a workers' compensation advisory council, providing for and appropriating fees, and including effective date provisions.

Read first time and referred to committee on **Labor**.

House File 2114, by Holt, Heartsill, Gassman, Wheeler, Salmon, Watts, Fisher, and Baxter, a bill for an act relating to criminal identification files of law enforcement agencies and immigration status information.

Read first time and referred to committee on **Public Safety**.

House File 2115, by Heartsill, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

SPONSORS ADDED

House File 2030 —	Gaines of Polk	Gaskill of Wapello
	Hunter of Polk	Kacena of Woodbury
	Kearns of Lee	Kurth of Scott
	Lensing of Johnson	Nielsen of Johnson
	Ourth of Warren	Steckman of Cerro Gordo
	Winckler of Scott	Wolfe of Clinton

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 573 Education

Relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions.

H.S.B. 574 Judiciary

Prohibiting state agencies from adopting rules or certain other policies without explicit statutory or judicial authorization.

H.S.B. 575 Judiciary

Relating to notice and opportunity to repair construction defects and including effective date and applicability provisions.

H.S.B. 576 Judiciary

Relating to the practice of certain professions and limited liability companies and professional corporations.

H.S.B. 577 Judiciary

Relating to the criminal offense of lascivious conduct with a minor or child, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

House File 92 Reassigned

Education: Hager, Chair; P. Miller and Rogers.

House File 495 Reassigned

Ways and Means: Hein, Chair; Kaufmann and Kearns.

House File 619 Reassigned

Ways and Means: Maxwell, Chair; Bergan and Prichard.

House File 2003

State Government: Highfill, Chair; Koester and Lensing.

House File 2044

State Government: Highfill, Chair; Koester and Steckman.

House File 2049

State Government: Sexton, Chair; Koester and Oldson.

House File 2055

Local Government: Heartsill, Chair; Kaufmann and Staed.

House File 2062

State Government: Koester, Chair; Highfill and T. Taylor.

House File 2063

Ways and Means: Mohr, Chair; Isenhardt and Windschitl.

House File 2064

Ways and Means: Holt, Chair; Bloomingdale and Wolfe.

House File 2087

Education: Mommsen, Chair; Hager and Nielsen.

House File 2093

Ways and Means: Vander Linden, Chair; Kurth and Windschitl.

House File 2095

State Government: Highfill, Chair; Hunter and Koester.

House File 2097

Ways and Means: Vander Linden, Chair; Kearns and Windschitl.

House File 2098

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 570

Ways and Means: Bloomingdale, Chair; Kurth and Sieck.

House Study Bill 573

Education: Jacobsen, Chair; Koester and R. Smith.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH

House File 2004, a bill for an act amending the definition of small city for purposes of eligibility under the workforce housing tax incentives program, including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 23, 2018.

Referred to the committee on Ways and Means pursuant to Rule 31.7.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 477), relating to the exemption from the hotel and motel taxes for the renting of lodging exceeding a certain number of consecutive days.

Fiscal Note: **Yes**

Recommendation: **Amend and Do Pass** January 24, 2018.

On motion by Hagenow of Polk, the House adjourned at 4:09 p.m., until 8:30 a.m., Thursday, January 25, 2018.

JOURNAL OF THE HOUSE

Eighteenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 25, 2018

The House met pursuant to adjournment at 8:30 a.m., Wills of Dickinson in the chair.

Prayer was offered by Mara Bailey, Chaplain of Simpson College. She was the guest of Ourth of Warren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Liam Conrad, Page from Fort Dodge.

The Journal of Wednesday, January 24, 2018, was approved.

INTRODUCTION OF BILLS

House File 2116, by McKean and Lundgren, a bill for an act designating employees of the department of corrections as public safety employees for purposes of public employee collective bargaining and including effective date and applicability provisions.

Read first time and referred to committee on **Labor**.

House File 2117, by committee on Local Government, a bill for an act relating to the assessment of fees when a public defender or designee requests copies of certain documents.

Read first time and placed on the **calendar**.

House File 2118, by committee on Local Government, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

Read first time and placed on the **calendar**.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

BOARD OF PHARMACY

Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554.

COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Fund Progress and Activities Report, pursuant to Iowa Code section 455G.4.

DENTAL BOARD

Licensed Professions and Occupations Report, pursuant to Iowa Code section 272C.4.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Capitol Planning Commission Report, pursuant to Iowa Code section 8A.373.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Control of Pathogenic Viruses in Poultry Report, pursuant to Iowa Code section 165B.2.

Watershed Planning Advisory Council Report, pursuant to Iowa Code section 466B.31.

DEPARTMENT OF COMMERCE Insurance Division

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

Consumer Advocate Bureau Report, pursuant to Iowa Code section 505.8.

DEPARTMENT OF CORRECTIONS

Electronic Monitoring System Report, pursuant to Chapter 167.9, 2017 Iowa Acts.

DEPARTMENT OF EDUCATION

Work Based Intermediary Network Report, pursuant to Iowa Code section 256.40.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

911 Status Report, pursuant to Iowa Code section 34A.7A.

DEPARTMENT OF HUMAN RIGHTS

Joint Investment Trust Fund Report, pursuant to Iowa Code section 12B.10A.

DEPARTMENT OF HUMAN SERVICES

Medicaid Managed Care Oversight Report, pursuant to Chapter 1139.94, 2016 Iowa Acts.

Nursing Facility Qualities Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L.4.

Mental Health Services Report, pursuant to Iowa Code section 249N.8.

Independent Living Services Report, pursuant to Iowa Code section 234.35.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 578 Education**

Relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 92 Reassigned**

Education: Hager, Chair; Bossman and P. Miller.

House File 2006 Reassigned

Education: Hager, Chair; Brown-Powers and Wheeler.

House File 2071 Reassigned

Education: Hanusa, Chair; Breckenridge and Wheeler.

House File 2079

Transportation: Landon, Chair; Huseman and R. Smith.

House File 2088

Human Resources: Jacobsen, Chair; Dolecheck and Mascher.

House File 2091

Public Safety: Heartsill, Chair; Hager and Kressig.

House File 2094

Public Safety: Worthan, Chair; Abdul-Samad and Fry.

House File 2101

Transportation: Hager, Chair; Landon and Ourth.

House File 2107

Labor: Wheeler, Chair; Hunter and Watts.

House File 2108

Natural Resources: Kerr, Chair; Mommsen and Steckman.

House File 2113

Labor: Wheeler, Chair; Hunter and Watts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 574

Judiciary: Rizer, Chair; Bennett and Hein.

House Study Bill 575

Judiciary: Baltimore, Chair; Bossman and Oldson.

House Study Bill 576

Judiciary: Bossman, Chair; Baltimore and Lensing.

House Study Bill 577

Judiciary: Heartsill, Chair; Hinson and Meyer.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 475, a bill for an act relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions.

Fiscal Note: **Yes**

Recommendation: **Amend and Do Pass with amendment H-8001** January 24, 2018.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 500), relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

Fiscal Note: **No**

Recommendation: **Do Pass** January 24, 2018.

Committee Bill (Formerly House Study Bill 501), relating to probate and the administration of small estates and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 24, 2018.

Committee Bill (Formerly House Study Bill 505), relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 24, 2018.

Committee Bill (Formerly House Study Bill 506), relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Fiscal Note: **No**

Recommendation: **Do Pass** January 24, 2018.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House Study Bill 518), relating to operating an unmanned aerial vehicle in, on, or above a county jail, municipal holding facility, detention facility for juveniles, or institution under the management of the department of corrections, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 25, 2018.

AMENDMENT FILED

H-8001 S.F. 475 Committee on Education

On motion by Hagenow of Polk, the House adjourned at 8:42 a.m., until 1:00 p.m., Monday, January 29, 2018.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Thirteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 29, 2018

The House met pursuant to adjournment at 1:00 p.m., Vander Linden of Mahaska in the chair.

Prayer was offered by Pastor Josh Graber, Cornerstone Baptist Church, Vinton. He was the guest of Pettengill of Benton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Emily Donaker, Page from George.

The Journal of Thursday, January 25, 2018, was approved.

INTRODUCTION OF BILLS

House File 2119, by Bacon, a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2120, by Salmon, a bill for an act relating to ignition interlock devices in motor vehicles of operating-while-intoxicated offenders, including provisions relating to driver's license revocations, the issuance of temporary restricted licenses, and the creation of an ignition interlock device indigent user fund, and providing penalties.

Read first time and referred to committee on **Public Safety**.

House File 2121, by Heartsill, a bill for an act establishing a voter-approved county senior services property tax levy.

Read first time and referred to committee on **Ways and Means**.

House File 2122, by Heartsill, a bill for an act relating to the retention of licensing fees for purposes related to the duties of the board of educational examiners.

Read first time and referred to committee on **Education**.

House File 2123, by Hall, a bill for an act requiring certain counties to select a certain county supervisor representation district plan.

Read first time and referred to committee on **Local Government**.

House File 2124, by Kaufmann, a bill for an act allowing the use of a leashed dog to retrieve a wounded deer and providing a penalty.

Read first time and referred to committee on **Natural Resources**.

House File 2125, by committee on Judiciary, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

Read first time and placed on the **calendar**.

House File 2126, by R. Taylor, a bill for an act relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals, and stroke transport protocols.

Read first time and referred to committee on **Human Resources**.

House File 2127, by Heartsill, a bill for an act prohibiting the purchase of weapons seized as a public nuisance by certain persons.

Read first time and referred to committee on **Public Safety**.

House File 2128, by committee on Judiciary, a bill for an act relating to probate and the administration of small estates and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2129, by committee on Judiciary, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2130, by committee on Judiciary, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Read first time and placed on the **calendar**.

House File 2131, by committee on Ways and Means, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging exceeding a certain number of consecutive days.

Read first time and placed on the **Ways and Means calendar**.

SUPPLEMENTAL REPORT OF
COMMITTEE ON MILEAGE

Madam Speaker: Your committee appointed to determine the mileage for members of the House submits the following supplemental report:

Name	Round Trip Miles
Jacob I Bossman	364

Respectfully submitted,
Norlin G. Mommsen, Chair
Kristi M. Hager
Bruce Bearinger

Mommsen of Clinton moved that the supplemental report of the committee on mileage be accepted.

The motion prevailed and the supplemental report was accepted.

COMMITTEE REVISIONS

The Speaker announced the following temporary changes to committee assignments effective immediately:

Administrative Rules Review Committee
Heaton replaced Jones

Administration and Rules
Fry replaced Jones

Education
Huseman replaced Jones

Judiciary
Dolecheck replaced Jones

Local Government
Windschitl replaced Jones

SPONSOR ADDED

House File 2104 — Gaskill of Wapello

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 579 Labor

Relating to boiler and unfired steam pressure vessel inspections.

H.S.B. 580 Veterans Affairs

Regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

H.S.B. 581 Judiciary

Relating to DNA testing of certain criminal offenders.

H.S.B. 582 Commerce

Relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

H.S.B. 583 Commerce

Relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

H.S.B. 584 Commerce

Relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, financial records associated with the sale of cemetery and funeral merchandise and services, and eliminating specified penalties for violations of requirements relating to retirement and senior adult congregate living facilities.

H.S.B. 585 Commerce

Relating to the receipt of pecuniary damages by insurers as victims for purposes of criminal restitution.

H.S.B. 586 Education

Relating to the state school foundation program and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 2003**

Judiciary: Hinson, Chair; Heartsill and Olson.

House Joint Resolution 2004

Judiciary: Heartsill, Chair; Olson and Rizer.

House Joint Resolution 2005

State Government: Cownie, Chair; Rizer and Winckler.

House File 2065

Agriculture: Holz, Chair; Klein and P. Miller.

House File 2081

Agriculture: Paustian, Chair; Cohoon and Klein.

House File 2082

Agriculture: Sexton, Chair; Cohoon and Klein.

House File 2083

Agriculture: Klein, Chair; Cohoon and Sexton.

House File 2084

Agriculture: Mommsen, Chair; Cohoon and Klein.

House File 2086

Agriculture: Baudler, Chair; Cohoon and Klein.

House File 2103

Local Government: Kaufmann, Chair; Bloomingdale and Kressig.

House File 2108 Reassigned

Natural Resources: Wills, Chair; Kerr and Steckman.

House File 2109

State Government: Highfill, Chair; Koester and Lensing.

House File 2119

Agriculture: Sexton, Chair; P. Miller and Paustian.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 578

Education: Salmon, Chair; Dolecheck and Mascher.

House Study Bill 581

Judiciary: Rizer, Chair; Dolecheck and Lensing.

RESOLUTION FILED

H.R. 102, by Ourth, a resolution recognizing Chronic Traumatic Encephalopathy Awareness Day.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8002	H.F.	2118	Carlson of Muscatine
H-8003	H.F.	2118	Meyer of Polk

On motion by Hagenow of Polk, the House adjourned at 1:12 p.m., until 8:30 a.m., Tuesday, January 30, 2018.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 30, 2018

The House met pursuant to adjournment at 8:30 a.m., Wills of Dickinson in the chair.

“What One Man Can Do” was sung by Bearinger of Fayette.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rylee Lobberecht, Page from Eddyville.

The Journal of Monday, January 29, 2018, was approved.

INTRODUCTION OF BILLS

House File 2132, by Staed, a bill for an act prohibiting the construction of confinement feeding operation structures that are part of confinement feeding operations located in certain subwatersheds, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2133, by Staed, a bill for an act relating to requiring water quality plans for persons receiving financial assistance for establishing soil and water conservation plans.

Read first time and referred to committee on **Agriculture**.

House File 2134, by Staed, Mascher, Gaines, Meyer, Abdul-Samad, and Bennett, a bill for an act requiring that a person submit a bond with a manure management plan associated with a confinement feeding operation, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2135, by Staed, a bill for an act relating to confinement feeding operations, including by establishing a moratorium, requiring the department of natural resources to adjust compliance fees, requiring the department to submit a report to the general assembly, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2136, by Sheets, Heartsill, Wheeler, Maxwell, Salmon, Dolecheck, Landon, Hager, and Gassman, a bill for an act relating to school district spending authority by establishing a district cash reserve budget adjustment.

Read first time and referred to committee on **Education**.

House File 2137, by Salmon, a bill for an act relating to student data collection by the department of education, school districts, and accredited nonpublic schools.

Read first time and referred to committee on **Education**.

House File 2138, by Heartsill, a bill for an act providing for the creation of a unified educational data system task force.

Read first time and referred to committee on **Education**.

House File 2139, by Heartsill, a bill for an act requiring the department of education to convene a work group for streamlining public school administration in Iowa.

Read first time and referred to committee on **Education**.

House File 2140, by Staed, a bill for an act relating to language and literacy development for deaf and hard-of-hearing children.

Read first time and referred to committee on **Education**.

House File 2141, by Staed, Mascher, Kearns, Ourth, T. Taylor, Gaskill, Wolfe, Winckler, Lensing, Gaines, H. Miller, Nielsen, R. Smith,

and Abdul-Samad, a bill for an act relating to telecoil assistive devices and providing applicability dates.

Read first time and referred to committee on **Human Resources**.

House File 2142, by Steckman, Heddens, Winckler, McConkey, Kurth, Bennett, Jacoby, Gaskill, Wolfe, Lensing, Gaines, Hunter, Kacena, Breckenridge, Nielsen, Staed, Mascher, Kearns, Ourth, T. Taylor, Forbes, Prichard, Oldson, Kressig, Isenhardt, Cohoon, Bearinger, and M. Smith, a bill for an act relating to the provision of integrated health homes for individuals with serious and persistent mental illness under Medicaid managed care, and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

House File 2143, by Staed, a bill for an act relating to the carrying, transportation, or possession of a pistol or revolver in the capitol building and on the grounds surrounding the capitol building including state parking lots and parking garages.

Read first time and referred to committee on **Judiciary**.

House File 2144, by Staed, Mascher, Lensing, Gaines, Kurth, H. Miller, Hunter, Kacena, Nielsen, Meyer, R. Smith, Abdul-Samad, Bennett, Wessel-Kroeschell, and Jacoby, a bill for an act prohibiting the manufacture, possession, shipment, transportation, or receipt of a multi-burst trigger activator, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2145, by Staed, Mascher, and Brown-Powers, a bill for an act relating to the issuance, denial, suspension, or revocation of a permit to carry weapons.

Read first time and referred to committee on **Judiciary**.

House File 2146, by Windschitl, a bill for an act relating to the supervisory custody and control of a county courthouse.

Read first time and referred to committee on **Judiciary**.

House File 2147, by Salmon and Heartsill, a bill for an act relating to the treatment of certain incidents of human trafficking as child abuse and to mandatory or permissive reporting of such incidents, and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

House File 2148, by Breckenridge, a bill for an act permitting cities to charge certain fireworks violations as municipal infractions, and making penalties applicable.

Read first time and referred to committee on **Local Government**.

House File 2149, by Staed, a bill for an act relating to county recorder fees, including fees collected for copies of vital records and applications for marriage licenses.

Read first time and referred to committee on **Local Government**.

House File 2150, by Fisher, a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, and providing penalties.

Read first time and referred to committee on **Public Safety**.

House File 2151, by Staed, Isenhart, McKean, Nielsen, Wolfe, Kurth, Lensing, Winckler, and Gaines, a bill for an act differentiating between filing deadlines for incumbents and nonincumbents.

Read first time and referred to committee on **State Government**.

House File 2152, by Pettengill, a bill for an act providing for online reports of waivers and variances granted by the boards for certain medical professions and including effective date provisions.

Read first time and referred to committee on **State Government**.

House File 2153, by Koester, a bill for an act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service.

Read first time and referred to committee on **Veterans Affairs**.

House File 2154, by committee on Public Safety, a bill for an act relating to operating an unmanned aerial vehicle in, on, or above a county jail, municipal holding facility, detention facility for juveniles, community-based correctional facility, or institution under the management of the department of corrections, and providing penalties.

Read first time and placed on the **calendar**.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 587 Veterans Affairs

Relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

H.S.B. 588 Local Government

Relating to utility charges to tenants.

H.S.B. 589 State Government

Relating to the expenditure of public funds and funds held in trust by statewide elected officials or local officials on certain forms of advertisement and imposing penalties.

H.S.B. 590 State Government

Creating the tax return preparer oversight Act to provide for the regulation of tax return preparers by the Iowa accountancy examining board, modifying the powers and duties of the Iowa accountancy examining board and the director of revenue, and providing penalties.

H.S.B. 591 Commerce

Relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

H.S.B. 592 State Government

Relating to the conduct of sports betting by gambling licensees, making penalties applicable, and including effective date provisions.

H.S.B. 593 Commerce

Allowing certain final-stage motor vehicle manufacturers to be licensed as motor vehicle dealers.

H.S.B. 594 Commerce

Limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

H.S.B. 595 Commerce

Modifying various provisions relating to public utilities.

H.S.B. 596 Commerce

Prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

H.S.B. 597 Ethics

Relating to governmental ethics and the regulation of lobbyists and gifts.

SUBCOMMITTEE ASSIGNMENTS**House File 414 Reassigned**

Natural Resources: Baudler, Chair; Jacoby and Sexton.

House File 2048

Commerce: Bloomingdale, Chair; Fisher and McConkey.

House File 2111

Agriculture: Zumbach, Chair; Maxwell and H. Miller.

House File 2124 Reassigned

Natural Resources: Kerr, Chair; Baudler and Ourth.

House File 2151

State Government: Highfill, Chair; Hunter and Koester.

House File 2152

State Government: Pettengill, Chair; Highfill and Steckman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 579

Labor: Deyoe, Chair; T. Taylor and Watts.

House Study Bill 580

Veterans Affairs: Baxter, Chair; Bossman and H. Miller.

House Study Bill 582

Commerce: Pettengill, Chair; Forbes and Landon.

House Study Bill 583

Commerce: Pettengill, Chair; Forbes and Landon.

House Study Bill 584

Commerce: Pettengill, Chair; Forbes and Landon.

House Study Bill 585

Commerce: Pettengill, Chair; Forbes and Landon.

House Study Bill 586

Education: Dolecheck, Chair; Koester and Steckman.

House Study Bill 587

Veterans Affairs: Hanusa, Chair; Jacobsen and Kearns.

House Study Bill 588

Local Government: Bloomingdale, Chair; Gaskill and Sheets.

House Study Bill 589

State Government: Sexton, Chair; Koester and Steckman.

House Study Bill 590

State Government: Bergan, Chair; Oldson and Rizer.

House Study Bill 591

Commerce: Pettengill, Chair; Jacoby and Landon.

House Study Bill 592

State Government: Highfill, Chair; Baltimore and Cohoon.

House Study Bill 593

Commerce: Best, Chair; Kacena and Wills.

House Study Bill 594

Commerce: Best, Chair; Carlson and McConkey.

House Study Bill 595

Commerce: Carlson, Chair; Forbes and Watts.

House Study Bill 596

Commerce: Landon, Chair; McConkey and Wills.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 532), relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

Fiscal Note: **No**

Recommendation: **Do Pass** January 29, 2018.

Committee Bill (Formerly House Study Bill 544), relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

Fiscal Note: **No**

Recommendation: **Do Pass** January 29, 2018.

Committee Bill (Formerly House Study Bill 557), prohibiting pyramid promotional schemes and making penalties applicable

Fiscal Note: **No**

Recommendation: **Do Pass** January 29, 2018.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 507), relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 29, 2018.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 2037), relating to damages assessed for engaging in prohibited actions involving eagles, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** January 29, 2018.

Committee Bill (Formerly House File 2042), relating to the issuance of senior crossbow deer hunting licenses.

Fiscal Note: **No**

Recommendation: **Do Pass** January 29, 2018.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 164), requiring search warrants for certain activities under the jurisdiction of the natural resource commission.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 30, 2018.

Committee Bill (Formerly House Study Bill 555), relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2018.

On motion by Hagenow of Polk, the House adjourned at 8:45 a.m., until 8:30 a.m., Wednesday, January 31, 2018.

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 31, 2018

The House met pursuant to adjournment at 8:30 a.m., Lundgren of Dubuque in the chair.

Prayer was offered by Bill Kersting of Spencer. He was the guest of Jones of Clay and Wills of Dickinson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Madison DeWitt, Speaker's Page from Spencer.

The Journal of Tuesday, January 30, 2018, was approved.

INTRODUCTION OF BILLS

House File 2155, by McKean, Isenhardt, Baudler, Maxwell, Sheets, Hager, Bergan, Lundgren, Mohr, Salmon, Bacon, McConkey, Fisher, Lensing, Winckler, Holz, Baxter, Wolfe, Gustafson, Gaskill, Kressig, Running-Marquardt, Hunter, Steckman, Staed, Mascher, Bennett, Breckenridge, Kaufmann, Brown-Powers, R. Smith, Nielsen, Anderson, Oldson, Kurth, Abdul-Samad, Zumbach, Jacoby, Cohoon, Heaton, and Wessel-Kroeschell, a bill for an act relating to the applicability of beverage containers control provisions and the handling fees pursuant to those provisions.

Read first time and referred to committee on **Environmental Protection**.

House File 2156, by Heaton, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

Read first time and referred to committee on **Human Resources**.

House File 2157, by Salmon, a bill for an act relating to access to a copy of an original birth certificate by an adult adoptee, and providing for fees.

Read first time and referred to committee on **State Government**.

House File 2158, by Landon, a bill for an act relating to rescue vehicles designated as authorized emergency vehicles, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

House File 2159, by Hunter, Staed, T. Taylor, Kearns, Thede, Kacena, Heddens, and Brown-Powers, a bill for an act concerning veterans eligible to take holiday time off for Veterans Day.

Read first time and referred to committee on **Veterans Affairs**.

House File 2160, by Brown-Powers, a bill for an act increasing the amount of the tuition tax credit and including retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2161, by Mohr, a bill for an act relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations.

Read first time and referred to committee on **Education**.

House File 2162, by Salmon, Heartsill, Sheets, Fisher, Wheeler, Gassman, Holt, Gustafson, Jacobsen, Watts, Baxter, Wills, Rogers, Koester, Lundgren, Kerr, Dolecheck, Moore, and Landon, a bill for an act relating to the distribution of certain funds for abortions.

Read first time and referred to committee on **Human Resources**.

House File 2163, by Salmon, Heartsill, Wheeler, Sheets, Watts, Pettengill, Gassman, Gustafson, Jacobsen, Holt, Koester, Baxter, Fisher, Kerr, Dolecheck, Lundgren, Hager, Moore, Landon, and Rogers, a bill for an act recognizing the rights and protections accorded each

life from the moment of fetal heartbeat detection, prohibiting the performance of an abortion if a fetal heartbeat is detected, providing for licensee discipline, and providing a repeal.

Read first time and referred to committee on **Human Resources**.

House File 2164, by Salmon, Wheeler, Sheets, Baxter, Gustafson, Watts, Gassman, Holt, Heartsill, Fisher, Landon, and Jacobsen, a bill for an act relating to unfair practices involving access to areas of public accommodations or educational institutions.

Read first time and referred to committee on **Judiciary**.

House File 2165, by Salmon, Jacobsen, Wheeler, Gassman, Sheets, Heartsill, Hanusa, Gustafson, Bossman, Fisher, Watts, Bacon, Holt, Koester, Baxter, Dolecheck, Lundgren, Hager, and Rogers, a bill for an act prohibiting a cause of action for wrongful birth or wrongful life, and including applicability provisions.

Read first time and referred to committee on **Judiciary**.

House File 2166, by Baxter, Lundgren, Ourth, Holz, Cownie, Baltimore, and Prichard, a bill for an act relating to the management of the spread of diseases in wild animals and making penalties applicable.

Read first time and referred to committee on **Natural Resources**.

House File 2167, by Kaufmann, a bill for an act relating to the placement of sex offenders who qualify for release from the custody of the department of human services or the department of corrections.

Read first time and referred to committee on **Public Safety**.

House File 2168, by Mascher, a bill for an act relating to the suspension of an alcoholic beverages permit or license by a local authority.

Read first time and referred to committee on **State Government**.

House File 2169, by Kaufmann, a bill for an act providing for midwife licensure, providing for fees, and making penalties applicable.

Read first time and referred to committee on **State Government**.

House File 2170, by Kaufmann, a bill for an act relating to professional standards for the certification or designation of music therapists and providing penalties.

Read first time and referred to committee on **State Government**.

House File 2171, by committee on Commerce, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

Read first time and placed on the **calendar**.

House File 2172, by committee on Commerce, a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2173, by committee on Natural Resources, a bill for an act relating to damages assessed for engaging in prohibited actions involving eagles, and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2174, by committee on Natural Resources, a bill for an act relating to the issuance of senior crossbow deer hunting licenses.

Read first time and placed on the **calendar**.

House File 2175, by committee on Commerce, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

Read first time and placed on the **calendar**.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on January 31, 2018, the following bill was approved and transmitted to the Secretary of State:

Senate File 512, an Act relating to water quality by amending the wastewater treatment financial assistance program, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making transfers and appropriations and other changes properly related to water quality, and including effective date provisions.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 598 Commerce

Relating to health care administrative simplification.

H.S.B. 599 Commerce

Relating to permissible interest rates and finance charges for certain loans.

H.S.B. 600 Commerce

Relating to the division of domestic stock insurers into two or more domestic stock insurers and including effective date provisions.

H.S.B. 601 Local Government

Creating a law enforcement body camera interim workgroup.

H.S.B. 602 Commerce

Creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship

and grant programs and funds, and including effective date provisions.

H.S.B. 603 Public Safety

Relating to criminal acts committed on or against critical infrastructure property and providing penalties.

H.S.B. 604 Judiciary

Relating to the regulation of persons who file certain documents with the secretary of state, including the duties and obligations of business entities, restrictions regarding the acquisition of agricultural land, the liability of corporate directors, and commercial transactions involving creditors, providing for fees, and providing penalties.

H.S.B. 605 Judiciary

Relating to redemption by certain persons of parcels sold at tax sale.

H.S.B. 606 Judiciary

Relating to probate and cremation, burial, and funeral decisions and expenses.

H.S.B. 607 Judiciary

Relating to out-of-state drug rehabilitation programs for certain bailable defendants and parolees.

H.S.B. 608 Judiciary

Prohibiting the mistreatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

H.S.B. 609 Judiciary

Relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit

corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

SUBCOMMITTEE ASSIGNMENTS

House File 334

Ways and Means: Holt, Chair; Forbes and Maxwell.

House File 434

Ways and Means: Rizer, Chair; Gaskill and Nunn.

House File 513 Reassigned

Transportation: Wills, Chair; Forbes and Mohr.

House File 530

Judiciary: Heartsill, Chair; Baltimore and Meyer.

House File 2004

Ways and Means: Bloomingdale, Chair; Gaskill and Hein.

House File 2100

Transportation: Bacon, Chair; Maxwell and Olson.

House File 2116

Labor: Wheeler, Chair; Kearns and Watts.

House File 2148

Local Government: Windschitl, Chair; Bloomingdale and Meyer.

House File 2155

Environmental Protection: Klein, Chair; Isenhart and Wheeler.

House File 2168

State Government: Highfill, Chair; Koester and Lensing.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 586

Education: Dolecheck, Chair; Koester and Steckman.

House Study Bill 598

Commerce: Bloomingdale, Chair; Forbes and Lundgren.

House Study Bill 599

Commerce: Mohr, Chair; Holz and Kressig.

House Study Bill 600

Commerce: Pettengill, Chair; Forbes and Landon.

House Study Bill 601

Local Government: Bloomingdale, Chair; Gassman and Wolfe.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 531), relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

Fiscal Note: **No**

Recommendation: **Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 582), relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

Fiscal Note: **No**

Recommendation: **Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 583), relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

Fiscal Note: **No**

Recommendation: **Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 584), relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, financial records associated with the sale of cemetery and funeral merchandise and services, and eliminating specified penalties for violations of requirements relating to retirement and senior adult congregate living facilities.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 585), relating to the receipt of pecuniary damages by insurers as victims for purposes of criminal restitution.

Fiscal Note: **No**

Recommendation: **Do Pass** January 31, 2018.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 539), relating to the level of fees imposed pursuant to the land recycling program.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2018.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 2020), authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2018.

Committee Bill (Formerly House Study Bill 549), relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 30, 2018.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House Study Bill 508), establishing a text messaging notification and payment system for certain citations and informations.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 30, 2018.

Committee Bill (Formerly House Study Bill 533), relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2018.

Committee Bill (Formerly House Study Bill 534), relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2018.

Committee Bill (Formerly House Study Bill 535), relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2018.

Committee Bill (Formerly House Study Bill 536), relating to the administration of driving skills tests required for a commercial driver's license.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2018.

On motion by Hagenow of Polk, the House adjourned at 8:42 a.m., until 8:30 a.m., Thursday, February 1, 2018.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day - Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 1, 2018

The House met pursuant to adjournment at 8:31 a.m., Holz of Plymouth in the chair.

Prayer was offered by Pastor Brian Oliver, Living Faith United Methodist Church of Tama-Montour and Christ United Methodist Church of Toledo. He was the guest of Fisher of Tama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jenna Nelson, Page from Clear Lake.

The Journal of Wednesday, January 31, 2018, was approved.

INTRODUCTION OF BILLS

House File 2176, by Nunn, a bill for an act requiring school employee training and protocols relating to suicide prevention and trauma-informed care.

Read first time and referred to committee on **Education**.

House File 2177, by Heaton, a bill for an act relating to the planning, development, and implementation of a centralized direct care workforce database.

Read first time and referred to committee on **Human Resources**.

House File 2178, by Mommsen, a bill for an act relating to health insurance coverage for hearing aids for covered persons age eighteen and younger and including applicability provisions.

Read first time and referred to committee on **Human Resources**.

House File 2179, by Staed, Winckler, Kurth, Kearns, Hunter, Lensing, Nielsen, R. Smith, Mascher, McConkey, Wessel-Kroeschell, Brown-Powers, and Gaines, a bill for an act relating to a lost or stolen firearm, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2180, by Staed, Kurth, and Hunter, a bill for an act relating to the creation of an extreme risk protective order against a person in possession of a firearm who presents a significant danger to the person's self or others, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2181, by Staed, Mascher, Kearns, Ourth, T. Taylor, Steckman, Winckler, Lensing, Gaines, Kurth, Hunter, Nielsen, Meyer, R. Smith, Abdul-Samad, Olson, Bennett, and Wessel-Kroeschell, a bill for an act relating to the sale or transfer of firearms, providing penalties, and including applicability provisions.

Read first time and referred to committee on **Judiciary**.

House File 2182, by Staed, a bill for an act relating to the vehicle registration duties of county treasurers.

Read first time and referred to committee on **Local Government**.

House File 2183, by Staed, a bill for an act concerning contractual relationships between local entities and federal or private entities relating to the housing or detention of noncitizens for purposes of civil immigration custody and including effective date provisions.

Read first time and referred to committee on **Public Safety**.

House File 2184, by McKean, a bill for an act limiting campaign contributions to certain candidates and making civil and criminal penalties applicable.

Read first time and referred to committee on **State Government**.

House File 2185, by Fisher, a bill for an act relating to and establishing procedures regarding waste tire conversion within the state, and making penalties applicable.

Read first time and referred to committee on **State Government**.

House File 2186, by Mascher, a bill for an act prohibiting the sale and use of fireworks, and making penalties applicable.

Read first time and referred to committee on **State Government**.

House File 2187, by Wills, a bill for an act requiring the department of transportation to provide information relating to whether a person has been convicted of a felony to certain peace officers and employees of law enforcement agencies, and including applicability provisions.

Read first time and referred to committee on **Transportation**.

House File 2188, by Running-Marquardt, a bill for an act relating to health insurance coverage for mammograms and including effective date and applicability provisions.

Read first time and referred to committee on **Commerce**.

House File 2189, by Running-Marquardt, a bill for an act relating to eligible programs for training approved by the director of the department of workforce development for individuals claiming unemployment insurance benefits.

Read first time and referred to committee on **Labor**.

House File 2190, by Running-Marquardt, a bill for an act including public safety telecommunicators in the protection occupation category of the Iowa public employees' retirement system.

Read first time and referred to committee on **State Government**.

House File 2191, by Running-Marquardt, a bill for an act exempting the sale of feminine hygiene products from the sales tax.

Read first time and referred to committee on **Ways and Means**.

House File 2192, by committee on Environmental Protection, a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

Read first time and referred to committee on **Ways and Means**.

House File 2193, by committee on Transportation, a bill for an act establishing a text messaging notification and payment system for certain citations and informations.

Read first time and placed on the **calendar**.

House File 2194, by committee on Public Safety, a bill for an act relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

Read first time and placed on the **calendar**.

House File 2195, by committee on Transportation, a bill for an act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

Read first time and placed on the **calendar**.

House File 2196, by committee on Transportation, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2197, by committee on Transportation, a bill for an act relating to the administration of driving skills tests required for a commercial driver's license.

Read first time and placed on the **calendar**.

House File 2198, by committee on Transportation, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

Read first time and placed on the **calendar**.

House File 2199, by committee on Judiciary, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

Read first time and placed on the **calendar**.

House File 2200, by committee on State Government, a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships.

Read first time and placed on the **calendar**.

House File 2201, by Hunter, Heddens, Staed, Brown-Powers, Kearns, Mascher, Steckman, Gaskill, Kacena, T. Taylor, Lensing, Breckenridge, Hall, Prichard, Nielsen, R. Smith, Olson, Kressig, McConkey, Wessel-Kroeschell, Isenhardt, Gaines, Oldson, Forbes, Anderson, Bearinger, Winckler, Wolfe, Cohoon, Kurth, and Jacoby, a bill for an act concerning employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, and including effective date, applicability, and transition provisions.

Read first time and referred to committee on **Labor**.

House File 2202, by Running-Marquardt, a bill for an act relating to the medical cannabidiol Act by adding post-traumatic stress disorder to the list of debilitating medical conditions for which the medical use of cannabidiol would be medically beneficial.

Read first time and referred to committee on **Public Safety**.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 610 State Government

Relating to persons voluntarily excluded from gambling facilities.

H.S.B. 611 State Government

Relating to boards of trustees for county and city hospitals.

H.S.B. 612 State Government

Relating to the dispensing of cash from a device located at a licensed pari-mutuel wagering or gambling game facility.

H.S.B. 613 Local Government

Providing for unified fire and emergency service departments.

H.S.B. 614 Human Resources

Relating to the provision of information regarding postadoption services to all adoptive families.

H.S.B. 615 Labor

Relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

H.S.B. 616 State Government

Relating to alternative project delivery contract methods for government entities.

H.S.B. 617 Public Safety

Relating to testing violent crime evidence collection kits by the state criminalistics laboratory.

H.S.B. 618 Public Safety

Relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

H.S.B. 619 Public Safety

Relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

H.S.B. 620 Education

Relating to the amounts paid to a receiving school district for a pupil participating in open enrollment and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 428 Reassigned**

Judiciary: Hinson, Chair; Bossman and Lensing.

House File 2114

Public Safety: Holt, Chair; Kacena and Kerr.

House File 2120

Public Safety: Klein, Chair; Abdul-Samad and Kerr.

House File 2122

Education: Jacobsen, Chair; Gaines and Hager.

House File 2123

Local Government: McKean, Chair; Nielsen and Sheets.

House File 2126

Human Resources: Moore, Chair; Brown-Powers and Dolecheck.

House File 2127

Public Safety: Heartsill, Chair; Kacena and Worthan.

House File 2136

Education: Gassman, Chair; Dolecheck and R. Smith.

House File 2137

Education: Salmon, Chair; Jacobsen and Nielsen.

House File 2138

Education: Jacobsen, Chair; Moore and Staed.

House File 2139

Education: Wheeler, Chair; Hager and Staed.

House File 2146

Judiciary: Windschitl, Chair; Meyer and Rizer.

House File 2150

Public Safety: Fisher, Chair; Gaines and Klein.

House File 2153

Veterans Affairs: Jacobsen, Chair; Bossman and Kacena.

House File 2156

Human Resources: Heaton, Chair; Anderson and Salmon.

House File 2158

Transportation: Landon, Chair; Best and Heddens.

House File 2161

Education: Mommsen, Chair; Bossman and Breckenridge.

House File 2165

Judiciary: Dolecheck, Chair; Wessel-Kroeschell and Windschitl.

House File 2166

Natural Resources: Baxter, Chair; Cownie and Nielsen.

House File 2167

Public Safety: Worthan, Chair; Hager and Olson.

House File 2176

Education: Moore, Chair; Brown-Powers and Fry.

House File 2177

Human Resources: Jacobsen, Chair; Anderson and Best.

House File 2184

State Government: Highfill, Chair; Koester and Lensing.

House File 2185

State Government: Highfill, Chair; Koester and R. Smith.

House File 2186

State Government: Highfill, Chair; Koester and Mascher.

House File 2190

State Government: Highfill, Chair; Koester and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 603

Public Safety: Worthan, Chair; Heartsill and Kressig.

House Study Bill 604

Judiciary: McKean, Chair; Gustafson and Olson.

House Study Bill 605

Judiciary: McKean, Chair; Bennett and Bossman.

House Study Bill 606

Judiciary: Koester, Chair; Lensing and McKean.

House Study Bill 607

Judiciary: Bossman, Chair; Hein and Wessel-Kroeschell.

House Study Bill 608

Judiciary: Paustian, Chair; Baltimore and Wolfe.

House Study Bill 609

Judiciary: Gustafson, Chair; Heartsill and Oldson.

House Study Bill 610

State Government: Highfill, Chair; Bacon and T. Taylor.

House Study Bill 611

State Government: Zumbach, Chair; Hein and R. Smith.

House Study Bill 612

State Government: Highfill, Chair; Bacon and T. Taylor.

House Study Bill 613

Local Government: Carlson, Chair; Highfill and Nielsen.

House Study Bill 614

Human Resources: Koester, Chair; Holt and Wessel-Kroeschell.

House Study Bill 616

State Government: Highfill, Chair; Cownie and Oldson.

House Study Bill 617

Public Safety: Worthan, Chair; Anderson and Klein.

House Study Bill 618

Public Safety: Hager, Chair; Heartsill and Olson.

House Study Bill 619

Public Safety: Klein, Chair; Hager and Kurth.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 578), relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 586), relating to the state school foundation program and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 503), relating to probate, by amending the court fees in probate and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 504), relating to mortgage releases.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 524), relating to mechanics' liens and public construction liens.

Fiscal Note: **No**

Recommendation: **Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 541), relating to kidnapping in the second degree, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

Committee Bill (Formerly House Study Bill 577), relating to the criminal offense of lascivious conduct with a minor or child, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

COMMITTEE ON LABOR

Committee Bill (Formerly House File 2019), permitting employers to provide employees with wage statements by electronic means.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 2014), relating to weapons requirements for nonambulatory hunters.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 31, 2018.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 2079), relating to annual reports on the replacement and repair of structurally deficient bridges.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 1, 2018.

On motion by Hagenow of Polk, the House adjourned at 8:46 a.m., until 9:30 a.m., Friday, February 2, 2018.

JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day - Seventeenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 2, 2018

The House met pursuant to adjournment at 9:32 a.m., Landon of Polk in the chair.

Prayer was offered by Landon of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alan Lanzel from Culpeper, Virginia. He was the guest of Landon of Polk.

The Journal of Thursday, February 1, 2018, was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2006, by Hinson, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

Read first time and referred to committee on **Transportation**.

House File 2203, by Mascher, Hunter, Kacena, Nielsen, R. Smith, Jacoby, Olson, Forbes, McConkey, Wessel-Kroeschell, Brown-Powers, Isenhardt, Gaines, Gaskill, Oldson, Anderson, Winckler, Lensing, Kurth, Staed, Kearns, T. Taylor, and Breckenridge, a bill for an act establishing a student meal debt elimination fund under the control of the school budget review committee and making an appropriation.

Read first time and referred to committee on **Education**.

House File 2204, by Gaines, a bill for an act making completion of cultural competency coursework mandatory for students enrolled in the ninth grade.

Read first time and referred to committee on **Education**.

House File 2205, by Mascher, Hunter, Kacena, Nielsen, Jacoby, Olson, Kressig, Forbes, Brown-Powers, Gaines, Anderson, Winckler, Lensing, Gaskill, Kurth, Kearns, T. Taylor, and Staed, a bill for an act relating to the use of step therapy protocols, including step therapy override protocols, under the Medicaid program.

Read first time and referred to committee on **Human Resources**.

House File 2206, by Best, a bill for an act to require radon testing and mitigation in public schools and including applicability provisions.

Read first time and referred to committee on **Human Resources**.

House File 2207, by Mascher, Hunter, Kacena, Nielsen, Jacoby, Olson, Kressig, Forbes, McConkey, Wessel-Kroeschell, Brown-Powers, Isenhardt, Gaines, Anderson, Gaskill, Oldson, Winckler, Lensing, Kurth, Staed, Kearns, T. Taylor, and Breckenridge, a bill for an act relating to the criminal offense of manufacturing, delivering, selling, or possessing drug paraphernalia and the establishment of a syringe services program.

Read first time and referred to committee on **Judiciary**.

House File 2208, by Kaufmann, a bill for an act relating to the criminal offense of manufacturing, delivering, selling, or possessing drug paraphernalia by exempting hypodermic needles or syringes delivered, sold, or possessed through an approved needle exchange program.

Read first time and referred to committee on **Judiciary**.

House File 2209, by Salmon, Sheets, McKean, Landon, Baxter, Fisher, Wheeler, Watts, Hager, Heartsill, Holt, Gustafson, Moore, Gassman, Jacobsen, Wills, Rogers, Koester, Lundgren, Dolecheck, Rizer, Kerr, and Bacon, a bill for an act relating to the standard of judicial review and providing a claim or defense when a state action burdens a person's exercise of religion, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 2210, by Maxwell, a bill for an act relating to pumping stations that are part of drainage or levee districts, by providing procedures for the establishment of such stations and the annexation of land contiguous to the district.

Read first time and referred to committee on **Agriculture**.

House File 2211, by Isenhart, a bill for an act relating to county funding of services for persons with substance-related disorders and co-occurring mental health and substance-related disorders and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

House File 2212, by Steckman, a bill for an act relating to the implementation of a centralized direct care workforce database.

Read first time and referred to committee on **Human Resources**.

House File 2213, by Kressig, a bill for an act relating to intimidation with a dangerous weapon, and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

House File 2214, by Salmon, a bill for an act relating to hearings for temporary protective orders in domestic abuse and sexual abuse cases.

Read first time and referred to committee on **Judiciary**.

House File 2215, by Nielsen, a bill for an act relating to township funding for fire protection and emergency medical services and including applicability provisions.

Read first time and referred to committee on **Local Government**.

House File 2216, by Nielsen, a bill for an act relating to the issuance of general obligation bonds for certain general county purposes.

Read first time and referred to committee on **Local Government**.

House File 2217, by Heartsill, a bill for an act relating to the issuance of hunting licenses for farm owners and tenants.

Read first time and referred to committee on **Natural Resources**.

House File 2218, by Fisher, a bill for an act prohibiting the tampering with an electronic handling devise attached to or worn by a dog or attached to an item worn by a dog, and providing penalties.

Read first time and referred to committee on **Natural Resources**.

House File 2219, by Staed, a bill for an act providing procedures for responses by local law enforcement agencies to certain requests from United States immigration and customs enforcement.

Read first time and referred to committee on **Public Safety**.

House File 2220, by Mascher, a bill for an act modifying provisions relating to the sale of certain fireworks, and making penalties applicable.

Read first time and referred to committee on **State Government**.

House File 2221, by Mascher, Hunter, Kacena, Nielsen, R. Smith, Jacoby, Olson, Kressig, Forbes, McConkey, Wessel-Kroeschell, Brown-Powers, Gaines, Anderson, Gaskill, Oldson, Winckler, Lensing, Kurth, Staed, Kearns, T. Taylor, and Breckenridge, a bill for an act relating to the absentee voting period.

Read first time and referred to committee on **State Government**.

House File 2222, by Mascher, Hunter, Nielsen, R. Smith, Wessel-Kroeschell, Brown-Powers, Isenhardt, Gaines, Anderson, Gaskill, Oldson, Winckler, Lensing, Kurth, Staed, Kearns, and T. Taylor, a bill for an act relating to the administration of elections, including voter identity verification and straight party voting, and including applicability provisions.

Read first time and referred to committee on **State Government**.

House File 2223, by Heartsill, a bill for an act relating to fishing on a private lake or pond.

Read first time and referred to committee on **Natural Resources**.

House File 2224, by Hager, a bill for an act relating to the property tax exemption for forest reservations for certain assessment years.

Read first time and referred to committee on **Ways and Means**.

House File 2225, by Maxwell, a bill for an act relating to the additional annual tax authorized to be imposed by a benefited fire district.

Read first time and referred to committee on **Ways and Means**.

House File 2226, by committee on State Government, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

Read first time and placed on the **calendar**.

House File 2227, by Hager, a bill for an act relating to the recognition of life at conception, and providing for contingent implementation.

Read first time and referred to committee on **Human Resources**.

House File 2228, by Maxwell, a bill for an act creating a tax credit against the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2229, by committee on Judiciary, a bill for an act relating to probate, by amending the court fees in probate and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2230, by committee on Education, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2231, by committee on Public Safety, a bill for an act relating to the development and maintenance of specified policies by the department of natural resources.

Read first time and placed on the **calendar**.

House File 2232, by committee on Judiciary, a bill for an act relating to mortgage releases.

Read first time and placed on the **calendar**.

House File 2233, by committee on Judiciary, a bill for an act relating to mechanics' liens and public construction liens.

Read first time and placed on the **calendar**.

House File 2234, by committee on Commerce, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

Read first time and placed on the **calendar**.

House File 2235, by committee on Education, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2236, by committee on Commerce, a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

Read first time and placed on the **calendar**.

House File 2237, by committee on Commerce, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

Read first time and placed on the **calendar**.

House File 2238, by committee on Commerce, a bill for an act relating to the receipt of pecuniary damages by insurers as victims for purposes of criminal restitution.

Read first time and placed on the **calendar**.

House File 2239, by committee on Commerce, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

Read first time and placed on the **calendar**.

House File 2240, by committee on Labor, a bill for an act permitting employers to provide employees with wage statements by electronic means.

Read first time and placed on the **calendar**.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

BOARD OF REGENTS

Minority and Women Educators Enhancement Program Report, pursuant to Iowa Code section 262.93.

Affirmative Action, Diversity, and Multicultural Accomplishment Report, pursuant to Iowa Code section 19B.5.

DEPARTMENT OF EDUCATION

Kindergarten Literacy Assessment Report, pursuant to Iowa Code section 279.60.

SAVE/SILO Report, pursuant to Iowa Code section 256.9.

Association of School Boards Report, pursuant to Iowa Code section 279.38.

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10.

Condition of Education Report, pursuant to Iowa Code section 256.7.

DEPARTMENT OF HUMAN RIGHTS

Collaboration for Youth Development Council Report, pursuant to Iowa Code section 216A.140.

DEPARTMENT OF MANAGEMENT

Early Childhood Iowa State Board Report, pursuant to Iowa Code section 256L.4.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

DEPARTMENT OF REVENUE

Central Collections Unit Debt Collection Report, pursuant to Iowa Code section 421.17.

DEPARTMENT OF TRANSPORTATION

Midwest Regional Rail Passenger Initiative Report, pursuant to Iowa Code section 327J.3.

Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36.

Street Research Fund Report, pursuant to Iowa Code section 312.3A.

ECONOMIC DEVELOPMENT AUTHORITY

Annual Report, pursuant to Iowa Code section 15.107B.

Industrial New Jobs Training Program Review Report, pursuant to Iowa Code section 260E.7.

LAW ENFORCEMENT ACADEMY

Domestic Abuse Training Report, pursuant to Iowa Code section 80B.11.

PUBLIC INFORMATION BOARD

Annual Report, pursuant to Iowa Code section 23.6.

TREASURER OF STATE

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 2148), permitting cities to charge certain fireworks violations as municipal infractions, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

Committee Bill (Formerly House Study Bill 510), relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

Committee Bill (Formerly House Study Bill 515), authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

Committee Bill (Formerly House Study Bill 568), regarding competitive bidding requirements for construction by a private party of property to be leased or lease-purchased by certain government entities and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 1, 2018.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 2094), relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

Committee Bill (Formerly House Study Bill 552), relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

Committee Bill (Formerly House Study Bill 554), relating to inmate reading rooms in correctional institutions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 551), relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

COMMITTEE ON TRANSPORTATION

Senate File 220, a bill for an act regulating the use of automated traffic law enforcement systems, and providing a penalty.

Fiscal Note: **No**

Recommendation: **Do Pass** February 1, 2018.

On motion by Hagenow of Polk, the House adjourned at 9:43 a.m., until 10:00 a.m., Monday, February 5, 2018.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Eighteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 5, 2018

The House met pursuant to adjournment at 10:01 a.m., Hagenow of Polk in the chair.

Prayer was offered by Hagenow of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hagenow of Polk.

The Journal of Friday, February 2, 2018, was approved.

INTRODUCTION OF BILLS

House File 2241, by Isenhart and Wessel-Kroeschell, a bill for an act appropriating moneys to the department of agriculture and land stewardship for deposit in the local food and farm program fund for purposes of supporting the Leopold center for sustainable agriculture.

Read first time and referred to committee on **Appropriations**.

House File 2242, by Staed, T. Taylor, Gaskill, and Kearns, a bill for an act relating to notifications by life insurance companies to policyholders of changes in premiums.

Read first time and referred to committee on **Commerce**.

House File 2243, by Hinson, a bill for an act requiring school districts to provide certain physical education-related information annually in a report to the department of education.

Read first time and referred to committee on **Education**.

House File 2244, by Heddens, Hunter, Kressig, Staed, P. Miller, Gaskill, Steckman, Winckler, McConkey, Bearinger, Kearns, Breckenridge, Hall, Prichard, Cohoon, Isenhart, Oldson, Kurth,

Ourth, and T. Taylor, a bill for an act relating to the Medicaid program, including long-term services and supports, integrated health homes, capitation and reimbursement rates, and oversight, and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

House File 2245, by Heddens, Wessel-Kroeschell, Staed, Kurth, Ourth, Hunter, Oldson, Nielsen, Anderson, Meyer, Bennett, T. Taylor, Kearns, and Brown-Powers, a bill for an act relating to maintaining dangerous weapons at a child care facility or when transporting a child receiving care from a child care facility, and providing penalties.

Read first time and referred to committee on **Human Resources**.

House File 2246, by Salmon, a bill for an act relating to hearings for temporary protective orders in domestic abuse and sexual abuse cases.

Read first time and referred to committee on **Judiciary**.

House File 2247, by Heaton, a bill for an act relating to registration fees for electric and hybrid-electric motor vehicles, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

House File 2248, by Hinson, a bill for an act relating to special certificates issued to aircraft manufacturers, transporters, and dealers, providing fees, making penalties applicable, and including effective date and applicability provisions.

Read first time and referred to committee on **Transportation**.

House File 2249, by committee on Judiciary, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

Read first time and placed on the **calendar**.

House File 2250, by committee on Natural Resources, a bill for an act relating to weapons requirements for nonambulatory hunters.

Read first time and placed on the **calendar**.

COMMITTEE REVISIONS

The Speaker announced the following changes to committee assignments effective February 2, 2018:

Administration and Rules

Jones replaced Fry

Education

Jones replaced Huseman

Judiciary

Jones replaced Dolecheck

Local Government

Jones replaced Windschitl

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 621 Judiciary

Relating to nonsubstantive Code corrections.

H.S.B. 622 Judiciary

Relating to consumer protection modifying provisions applicable to consumer security freezes and personal information security breach protection.

H.S.B. 623 Agriculture

Regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties.

H.S.B. 624 Commerce

Relating to municipal utility retirement systems.

On motion by Highfill of Polk, the House adjourned at 10:05 a.m., until 10:00 a.m., Tuesday, February 6, 2018.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 6, 2018

The House met pursuant to adjournment at 10:01 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Dolecheck of Ringgold.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jack Lucas, Majority Leader's Page from Johnston.

The Journal of Monday, February 5, 2018, was approved.

INTRODUCTION OF BILLS

House File 2251, by Heartsill, a bill for an act relating to the seizure of property by the department of natural resources.

Read first time and referred to committee on **Judiciary**.

House File 2252, by committee on State Government, a bill for an act relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2253, by committee on Local Government, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

House File 2254, by committee on Public Safety, a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2255, by committee on Public Safety, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Read first time and placed on the **calendar**.

House File 2256, by committee on Transportation, a bill for an act relating to the submission of certain reports by the department of transportation and county engineers.

Read first time and placed on the **calendar**.

House File 2257, by committee on Local Government, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2258, by committee on Local Government, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

Read first time and placed on the **calendar**.

On motion by Hagenow of Polk, the House was recessed at 10:13 a.m., until 4:30 p.m.

AFTERNOON SESSION

The House reconvened at 4:31 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2007, by Wolfe and Heartsill, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to persons convicted of an infamous crime.

Read first time and referred to committee on **State Government**.

House File 2259, by Staed, a bill for an act providing for the regulation of animals other than livestock that are maintained by commercial establishments, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 2260, by Wills, a bill for an act relating to the application of pesticides into lakes, and providing penalties.

Read first time and referred to committee on **Agriculture**.

House File 2261, by Nunn, a bill for an act expanding the statewide preschool program to include five-year-old children and including applicability provisions.

Read first time and referred to committee on **Education**.

House File 2262, by Wolfe, a bill for an act providing for a study and report by the department of education on educational services provided to juveniles incarcerated while awaiting trial.

Read first time and referred to committee on **Education**.

House File 2263, by R. Taylor, a bill for an act relating to the certificate of need process applicable to the planning and delivery of health services.

Read first time and referred to committee on **Human Resources**.

House File 2264, by Heaton, a bill for an act relating to Medicaid managed care oversight including issues related to network

adequacy, home and community-based services waiver services, member eligibility, and appeals processes.

Read first time and referred to committee on **Human Resources**.

House File 2265, by Hinson, a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions.

Read first time and referred to committee on **Judiciary**.

House File 2266, by Heartsill and Wolfe, a bill for an act relating to the restoration of the rights of citizenship, and providing for a contingent effective date.

Read first time and referred to committee on **Judiciary**.

House File 2267, by Wolfe, a bill for an act providing for certain appeals to the Iowa law enforcement academy to be conducted by video conference.

Read first time and referred to committee on **Public Safety**.

House File 2268, by Baxter, McKean, and R. Taylor, a bill for an act providing for an increase in the barrel tax on beer, and making appropriations.

Read first time and referred to committee on **Ways and Means**.

House File 2269, by committee on Public Safety, a bill for an act relating to inmate reading rooms in correctional institutions.

Read first time and placed on the **calendar**.

House File 2270, by committee on Judiciary, a bill for an act relating to kidnapping in the second degree, and providing penalties.

Read first time and placed on the **calendar**.

HOUSE FILE 2185 REREFERRED

The Speaker announced that House File 2185, previously referred to committee on **State Government** was rereferred to committee on **Commerce**.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 625 Local Government

Concerning county supervisor representation and districting plans.

H.S.B. 626 Judiciary

Relating to child abuse involving the commission of a sexual offense with or to a child by a person who is eighteen years of age or older.

H.S.B. 627 Judiciary

Relating to the disposition of a child found to have committed a delinquent act.

H.S.B. 628 Human Resources

Relating to the substitute decision maker Act.

H.S.B. 629 Human Resources

Relating to the provision of medical support in child support actions, and including effective date provisions.

H.S.B. 630 Human Resources

Relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care.

H.S.B. 631 Human Resources

Relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services.

H.S.B. 632 Human Resources

Relating to programs and activities under the purview of the department of human services.

H.S.B. 633 Judiciary

Relating to unenforceable provisions in rental agreements.

H.S.B. 634 Judiciary

Relating to the exclusive jurisdiction by the juvenile court over acts of prostitution committed by persons under the age of eighteen.

H.S.B. 635 Human Resources

Establishing an interim study committee relating to child welfare.

H.S.B. 636 Ways and Means

Relating to the innovation fund tax credit program of the economic development authority, and including effective date provisions.

H.S.B. 637 Commerce

Relating to health benefit plans for members of certain agricultural organizations.

H.S.B. 638 Human Resources

Relating to the state training school at Eldora.

SUBCOMMITTEE ASSIGNMENTS**House File 214**

Public Safety: Fisher, Chair; Breckenridge and Kerr.

House File 2066

Judiciary: Baltimore, Chair; Heartsill and Wolfe.

House File 2069

Ways and Means: Rizer, Chair; Gaskill and Hein.

House File 2105

Judiciary: Jones, Chair; Gustafson and R. Smith.

House File 2165 Reassigned

Judiciary: Windschitl, Chair; Heartsill and Wessel-Kroeschell.

House File 2192

Ways and Means: Kaufmann, Chair; Kurth and Sieck.

House File 2210

Agriculture: Maxwell, Chair; Mommsen and Ourth.

House File 2215

Local Government: Kaufmann, Chair; Bloomingdale and Nielsen.

House File 2216

Local Government: Kaufmann, Chair; Bloomingdale and Nielsen.

House File 2220

State Government: Koester, Chair; Highfill and Mascher.

House File 2221

State Government: Rizer, Chair; Koester and Winckler.

House File 2222

State Government: Rizer, Chair; Koester and Lensing.

House File 2229

Ways and Means: Baltimore, Chair; Nunn and Wolfe.

House File 2251

Judiciary: Hein, Chair; Jones and Wessel-Kroeschell.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 56 Reassigned

Local Government: McKean, Chair; Sheets and Thede.

House Study Bill 615

Labor: Hanusa, Chair; Deyoe and Kearns.

House Study Bill 621

Judiciary: Paustian, Chair; Gustafson and R. Smith.

House Study Bill 622

Judiciary: Nunn, Chair; Bennett and Koester.

House Study Bill 623

Agriculture: Klein, Chair; Bearinger and Hein.

House Study Bill 624

Commerce: Carlson, Chair; Kacena and Lundgren.

House Study Bill 625

Local Government: Carlson, Chair; Gaskill and Highfill.

House Study Bill 626

Judiciary: Heartsill, Chair; McKean and Wolfe.

House Study Bill 627

Judiciary: Bossman, Chair; Hein and Lensing.

House Study Bill 628

Human Resources: Moore, Chair; Bacon and Heddens.

House Study Bill 629

Human Resources: Salmon, Chair; Bergan and Forbes.

House Study Bill 630

Human Resources: Dolecheck, Chair; Hunter and Koester.

House Study Bill 631

Human Resources: R. Taylor, Chair; Best and Forbes.

House Study Bill 632

Human Resources: Koester, Chair; Heaton and Heddens.

House Study Bill 633

Judiciary: Paustian, Chair; Bossman and Olson.

House Study Bill 634

Judiciary: Hinson, Chair; Nunn and Wolfe.

House Study Bill 635

Human Resources: Jacobsen, Chair; Bacon and Wessel-Kroeschell.

House Study Bill 636

Ways and Means: Rizer, Chair; Jacoby and Pettengill.

House Study Bill 637

Commerce: Landon, Chair; Forbes and Wills.

House Study Bill 638

Human Resources: Bergan, Chair; Mascher and R. Taylor.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 2119), relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 596), prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 542), relating to the statute of limitations period for executing judgments on claims for rent.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

Committee Bill (Formerly House Study Bill 576), relating to the practice of certain professions and limited liability companies and professional corporations.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2018.

COMMITTEE ON LABOR

Committee Bill (Formerly House Study Bill 579), relating to boiler and unfired steam pressure vessel inspections.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2018.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 2103), relating to supplemental reimbursement for publicly owned or operated ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 2059), relating to the presence of a sex offender upon the real property of a public or nonpublic elementary or secondary school.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 550), relating to the inspection and examination of certain public records under the custody of the state archivist.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

Committee Bill (Formerly House Study Bill 560), relating to amusement concessions concerning allowable games and prizes and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2018.

AMENDMENT FILED

H-8004 H.F. 2230 Steckman of Cerro Gordo

On motion by Hagenow of Polk, the House adjourned at 4:37 p.m., until 8:30 a.m., Wednesday, February 7, 2018.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 7, 2018

The House met pursuant to adjournment at 8:32 a.m., Mohr of Scott in the chair.

Prayer was offered by Dr. Matthew Miller, Pastor of Windsor United Methodist Church, Des Moines. He was the guest of Jones of Clay.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Benjamin Olsen, Page from McCallsburg.

The Journal of Tuesday, February 6, 2018, was approved.

INTRODUCTION OF BILLS

House File 2271, by Windschitl, a bill for an act relating to lead testing in child care facilities and schools.

Read first time and referred to committee on **Education**.

House File 2272, by Mohr, a bill for an act authorizing a voter-approved increase in the regular program district cost per pupil and including applicability provisions.

Read first time and referred to committee on **Education**.

The House stood at ease at 8:44 a.m., until the fall of the gavel.

The House resumed session at 9:56 a.m., Windschitl of Harrison in the chair.

INTRODUCTION OF BILLS

House File 2273, by Windschitl, a bill for an act relating to the classification or definition of firearms.

Read first time and referred to committee on **Natural Resources**.

House File 2274, by Carlson, a bill for an act relating to employing units acquired through judicial repossession, foreclosure action, or bankruptcy for purposes of the unemployment insurance program.

Read first time and referred to committee on **Commerce**.

CONSIDERATION OF BILL
Regular Calendar

House File 2230, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions, was taken up for consideration.

Steckman of Cerro Gordo offered amendment H-8004 filed by her and moved its adoption.

Roll call was requested by Steckman of Cerro Gordo and M. Smith of Marshall.

On the question "Shall amendment H-8004 be adopted?" (H.F. 2230)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossmann
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa

Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 2:

Huseman Pettengill

Amendment H-8004 lost.

Cownie of Polk in the chair at 11:27 a.m.

Kaufmann of Cedar rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2230)

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Cownie, Presiding			

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

Gaines	Huseman	Pettengill
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2230** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Gaines of Polk	Huseman of Cherokee
Pettengill of Benton	

On motion by Hagenow of Polk, the House was recessed at 12:19 p.m., until 4:15 p.m.

AFTERNOON SESSION

The House reconvened at 4:21 p.m., Wills of Dickinson in the chair.

INTRODUCTION OF BILLS

House File 2275, by Heaton, a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

Read first time and referred to committee on **Human Resources**.

House File 2276, by committee on Public Safety, a bill for an act relating to the presence of a sex offender upon the real property of a public or nonpublic elementary or secondary school.

Read first time and placed on the **calendar**.

House File 2277, by committee on State Government, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist.

Read first time and placed on the **calendar**.

House File 2278, by Hinson and R. Taylor, a bill for an act requiring the department of management to establish and operate a searchable internet site containing revenue and expenditure data of school districts.

Read first time and referred to committee on **Appropriations**.

House File 2279, by committee on Education, a bill for an act establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions.

Read first time and referred to committee on **Appropriations**.

House File 2280, by committee on Education, a bill for an act relating to subject and performance-based assessments administered prior to a student's completion of a practitioner preparation program.

Read first time and placed on the **calendar**.

House File 2281, by committee on Agriculture, a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2282, by committee on State Government, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2283, by committee on Education, a bill for an act relating to the expiration date of a license issued by the board of educational examiners.

Read first time and placed on the **calendar**.

House File 2284, by committee on Judiciary, a bill for an act relating to the statute of limitations period for executing judgments on claims for rent.

Read first time and placed on the **calendar**.

House File 2285, by committee on Local Government, a bill for an act relating to supplemental reimbursement for publicly owned or operated ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

Read first time and placed on the **calendar**.

HOUSE JOINT RESOLUTION 2007 REREFERRED

The Speaker announced that House Joint Resolution 2007, previously referred to committee on **State Government** was rereferred to committee on **Judiciary**.

HOUSE FILE 2251 REREFERRED

The Speaker announced that House File 2251, previously referred to committee on **Judiciary** was rereferred to committee on **Natural Resources**.

SPONSORS ADDED

House File 2241
Winckler of Scott

Forbes of Polk
Lensing of Johnson

Kurth of Scott
 Mascher of Johnson
 Kacena of Woodbury
 R. Smith of Black Hawk
 Kearns of Lee
 Wolfe of Clinton
 Prichard of Floyd
 Steckman of Cerro Gordo
 T. Taylor of Linn
 Cohoon of Des Moines
 Bennett of Linn
 Kressig of Black Hawk
 Heddens of Story
 M. Smith of Marshall

McConkey of Pottawattamie
 Hunter of Polk
 Abdul-Samad of Polk
 Brown-Powers of Black Hawk
 Anderson of Polk
 Breckenridge of Jasper
 Beringer of Fayette
 Staed of Linn
 Ourth of Warren
 Gaskill of Wapello
 H. Miller of Webster
 Olson of Polk
 Oldson of Polk

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 639 Transportation

Relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

H.S.B. 640 Agriculture

Providing for the management of weeds, including noxious weeds, and making penalties applicable.

H.S.B. 641 Public Safety

Relating to child abuse involving access to a child by a person who is a sex offender.

H.S.B. 642 State Government

Regarding direct purchasing from vendors by agencies and including effective date provisions.

H.S.B. 643 State Government.

Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

H.S.B. 644 State Government

Relating to joint exercise of government powers for federally recognized Indian tribes.

H.S.B. 645 Agriculture

Relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions.

H.S.B. 646 Education

Relating to school district transportation costs by establishing a transportation equity program and making appropriations.

H.S.B. 647 Education

Relating to the collection of sales tax for deposit in the secure an advanced vision for education fund and to the use of tax revenue from the secure an advanced vision for education fund.

H.S.B. 648 Appropriations

Relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date and retroactive applicability provisions.

H.S.B. 649 Commerce

Relating to the classification of drainage or levee districts and library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 2006**

Transportation: Hinson, Chair; Hager and Ourth.

House File 2090

Judiciary: Heartsill, Chair; Baltimore and Olson.

House File 2185

Commerce: Fisher, Chair; Mohr and Ourth.

House File 2218

Natural Resources: Fisher, Chair; Maxwell and Nielsen.

House File 2248

Transportation: Hinson, Chair; Cohoon and Hager.

House File 2251

Natural Resources: Baudler, Chair; Fisher and H. Miller.

House File 2260

Agriculture: Wills, Chair; Hall and Sieck.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 602**

Commerce: Cownie, Chair; Best, Grassley, Hall and Oldson.

House Study Bill 620

Education: Wheeler, Chair; P. Miller and Moore.

House Study Bill 633 Reassigned

Judiciary: Bossman, Chair; Olson and Paustian.

House Study Bill 639

Transportation: Worthan, Chair; R. Smith and Wills.

House Study Bill 642

State Government: Moore, Chair; Kaufmann and Steckman.

House Study Bill 643

State Government: Sexton, Chair; Lensing and Zumbach.

House Study Bill 644

State Government: Bacon, Chair; Steckman and Watts.

House Study Bill 649

Commerce: Holz, Chair; Jacoby and Lundgren.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 2111), relating to controversies involving fence viewers.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 530), relating to the acquisition of water, sanitary sewer, or storm water facilities between public utilities.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

Committee Bill (Formerly House Study Bill 572), relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

Committee Bill (Formerly House Study Bill 593), allowing certain final-stage motor vehicle manufacturers to be licensed as motor vehicle dealers.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 2007), relating to subject and performance-based assessments administered prior to a student's completion of a practitioner preparation program.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

Committee Bill (Formerly House File 2072), establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

Committee Bill (Formerly House Study Bill 562), relating to the expiration date of a license issued by the board of educational examiners.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 2156), relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

Committee Bill (Formerly House Study Bill 567), relating to the practice of polysomnography.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 6, 2018.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Study Bill 513), concerning the contract bidding process for public improvement projects conducted by the state board of regents.

Fiscal Note: **No**

Recommendation: **Do Pass** February 7, 2018.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 2158), relating to rescue vehicles designated as authorized emergency vehicles, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

Committee Bill (Formerly House Study Bill 54), permitting the transportation of raw forest and agricultural products on motor vehicles exceeding certain maximum gross weight limitations.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

Committee Bill (Formerly House Study Bill 509), relating to motor vehicles approaching stationary construction vehicles, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House Study Bill 538), concerning the department of veterans affairs relating to membership on the commission of veterans affairs, expenditures from the veterans trust fund, and providing an appropriation to the state veterans cemetery account.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

COMMITTEE ON WAYS AND MEANS

House File 619, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2018.

AMENDMENTS FILED

H-8005	H.F.	2117	Jones of Clay
H-8006	H.F.	619	Maxwell of Poweshiek

On motion by Hagenow of Polk, the House adjourned at 4:24 p.m., until 8:30 a.m., Thursday, February 8, 2018.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 8, 2018

The House met pursuant to adjournment at 8:31 a.m., McKean of Jones in the chair.

Prayer was offered by Pastor Cindy Johnson, St. John's Lutheran Church, Carroll. She was the guest of Best of Carroll.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Liam Conrad, Page from Fort Dodge.

The Journal of Wednesday, February 7, 2018, was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 7, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2230, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2286, by committee on Commerce, a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

Read first time and placed on the **calendar**.

House File 2287, by Bennett, a bill for an act providing for internet neutrality, and making penalties applicable.

Read first time and referred to committee on **Commerce**.

House File 2288, by Anderson, Wolfe, Kacena, Mascher, Kurth, Lensing, Winckler, Steckman, and Kearns, a bill for an act creating a foster care children and adopted children bill of rights and entitlements.

Read first time and referred to committee on **Human Resources**.

House File 2289, by R. Taylor, a bill for an act providing for the designation of a caregiver relating to a patient's inpatient stay at a hospital.

Read first time and referred to committee on **Human Resources**.

House File 2290, by committee on Human Resources, a bill for an act relating to the practice of polysomnography.

Read first time and placed on the **calendar**.

The House stood at ease at 8:43 a.m., until the fall of the gavel.

The House resumed session at 11:56 a.m., Landon of Polk in the chair.

INTRODUCTION OF BILLS

House File 2291, by Heaton, a bill for an act relating to Medicaid managed care oversight and improvement.

Read first time and referred to committee on **Human Resources**.

House File 2292, by Heaton, a bill for an act relating to Medicaid managed care, including process and contract requirements, and oversight.

Read first time and referred to committee on **Human Resources**.

House File 2293, by Hunter, T. Taylor, Oldson, Kacena, Brown-Powers, Staed, Steckman, Mascher, Lensing, and Kressig, a bill for an act relating to private instruction by adding reporting requirements and requiring school districts to conduct health and safety visits for children placed under competent private instruction, independent private instruction, or private instruction.

Read first time and referred to committee on **Human Resources**.

House File 2294, by Hinson, a bill for an act relating to technical violations of probation.

Read first time and referred to committee on **Judiciary**.

House File 2295, by Rogers, a bill for an act relating to the misrepresentation of a person as an owner or trainer of a service dog or assistive animal and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2296, by Koester, a bill for an act establishing a physical therapy licensure compact.

Read first time and referred to committee on **State Government**.

House File 2297, by committee on Labor, a bill for an act relating to boiler and unfired steam pressure vessel inspections.

Read first time and placed on the **calendar**.

The House stood at ease at 11:59 a.m., until the fall of the gavel.

The House resumed session at 12:32 p.m., Speaker Upmeyer in the chair.

SENATE AMENDMENT CONSIDERED
House Refused to Concur

Dolecheck of Ringgold called up for consideration **House File 2230**, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying

provisions relating to school district property tax replacement payments, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8007.

Roll call was requested by M. Smith of Marshall and Steckman of Cerro Gordo.

On the question "Shall the House concur in the Senate amendment H-8007?" (H.F. 2230)

The ayes were, 37:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Forbes
Gaines	Gaskill	Heddens	Isenhart
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	McConkey
Meyer	Miller, H.	Miller, P.	Mommsen
Nielsen	Olson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Wessel-Kroeschell
Wolfe			

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Moore
Paustian	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Vander Linden	Watts	Wheeler	Wills
Winckler	Windschitl	Worthan	Zumbach
Speaker			
Upmeyer			

Absent or not voting, 6:

Finkenauer	Hall	Hunter	Numm
Pettengill	Thede		

The motion lost and the House refused to concur in the Senate amendment H-8007.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2230** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Finkenauer of Dubuque
Hunter of Polk
Pettengill of Benton

Hall of Woodbury
Nunn of Polk
Thede of Scott

EXPLANATIONS OF VOTE

On February 7, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2230 – “nay”

Gaines of Polk

On February 7, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Amendment H–8004 (H.F. 2230) – “nay”
House File 2230 – “aye”

Huseman of Cherokee

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 650 Education

Relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective and applicability provisions.

H.S.B. 651 Education

Establishing an education savings grant program for pupils attending a nonpublic school, establishing an education savings grant fund,

providing an income tax exemption, modifying and establishing charter school programs, making appropriations, providing penalties, and including applicability provisions.

H.S.B. 652 Public Safety

Relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

H.S.B. 653 Judiciary

Relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment and supervised electronic tracking and monitoring.

H.S.B. 654 Public Safety

Relating to the possession of a controlled substance and providing penalties.

H.S.B. 655 Public Safety

Relating to the assessment of an agricultural theft surcharge on criminal offenses involving the theft of crops or livestock, and making an appropriation.

H.S.B. 656 Public Safety

Relating to the release to the press of the names of persons who have been arrested for prostitution, and to the forfeiture of motor vehicles used to facilitate the illegal conduct.

H.S.B. 657 State Government

Relating to developing state agency program goals and performance measures under the accountable government Act.

H.S.B. 658 State Government

Relating to allowable forms for payment for social and charitable gambling.

SUBCOMMITTEE ASSIGNMENTS**House File 135**

Judiciary: Gustafson, Chair; Bennett and McKean.

House File 2189

Labor: Wheeler, Chair; Running-Marquardt and Watts.

House File 2201

Labor: Wheeler, Chair; Hunter and Watts.

House File 2208

Judiciary: Rizer, Chair; Hein and R. Smith.

House File 2243

Education: Bossman, Chair; Brown-Powers and Hager.

House File 2263

Human Resources: Moore, Chair; Mascher and R. Taylor.

House File 2265

Judiciary: Hinson, Chair; Jones and Lensing.

House File 2266

Judiciary: Heartsill, Chair; Baltimore and Wolfe.

House File 2273

Natural Resources: Baxter, Chair; Breckenridge and Huseman.

House File 2275

Human Resources: Heaton, Chair; Anderson and R. Taylor.

House File 2289

Human Resources: Dolecheck, Chair; Abdul-Samad and Moore.

House File 2296

State Government: Koester, Chair; Highfill and R. Smith.

Senate File 455

Appropriations: Rogers, Chair; Dolecheck and Winckler.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 633 Reassigned

Judiciary: Bossman, Chair; Olson and Paustian.

House Study Bill 640

Agriculture: Zumbach, Chair; Cohoon and Kerr.

House Study Bill 641

Public Safety: Klein, Chair; Fry and Wessel-Kroeschell.

House Study Bill 645

Agriculture: Wills, Chair; Hall and Mommsen.

House Study Bill 647

Education: Dolecheck, Chair; Bossman, Moore, R. Smith and Steckman.

House Study Bill 648

Appropriations: Grassley, Chair; Hall and Hinson.

House Study Bill 650

Education: Koester, Chair; Bossman and Breckenridge.

House Study Bill 651

Education: Rogers, Chair; Jones, Mascher, Nielsen and Wheeler.

House Study Bill 652

Public Safety: Klein, Chair; Gaines and Hager.

House Study Bill 654

Public Safety: Klein, Chair; Hager and Olson.

House Study Bill 655

Public Safety: Klein, Chair; Hager and Kressig.

House Study Bill 656

Public Safety: Kerr, Chair; Heartsill and Wessel-Kroeschell.

House Study Bill 657

State Government: Rizer, Chair; Koester and Steckman.

House Study Bill 658

State Government: Bacon, Chair; Cohoon and Hein.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 571), relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2018.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 2146), relating to the supervisory custody and control of a county courthouse.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 574), prohibiting state agencies from adopting rules or certain other policies without explicit statutory or judicial authorization.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 605), relating to redemption by certain persons of parcels sold at tax sale.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 609), relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

COMMITTEE ON LABOR

Committee Bill (Formerly House Study Bill 615), relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 2127), prohibiting the purchase of weapons seized as a public nuisance by certain persons.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

Committee Bill (Formerly House File 2167), relating to the placement of sex offenders who qualify for release from the custody of the department of human services or the department of corrections.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 553), relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 617), relating to testing violent crime evidence collection kits by the state criminalistics laboratory.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 619), relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 2049), relating to continuation of health care coverage for certain surviving spouses and children of peace officers killed in the line of duty, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

Committee Bill (Formerly House File 2077), relating to purse agreements concerning horse racing regulated by the racing and gaming commission.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 610), relating to persons voluntarily excluded from gambling facilities.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

Committee Bill (Formerly House Study Bill 612), relating to the dispensing of cash from a device located at a licensed pari-mutuel wagering or gambling game facility.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

AMENDMENT FILED

H-8007 H.F. 2230 Senate amendment

On motion by Hagenow of Polk, the House adjourned at 1:01 p.m., until 10:00 a.m., Friday, February, 9, 2018.

JOURNAL OF THE HOUSE

Thirty-third Calendar Day - Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 9, 2018

The House met pursuant to adjournment at 10:03 a.m., Hagenow of Polk in the chair.

Prayer was offered by Koester of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Koester of Polk.

The Journal of Thursday, February 8, 2018, was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 8, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2117, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2298, by Isenhardt, a bill for an act providing for a statewide soil resource health and recovery monitoring system.

Read first time and referred to committee on **Environmental Protection**.

House File 2299, by Lundgren, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

House File 2300, by committee on Judiciary, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2301, by committee on Local Government, a bill for an act concerning the contract bidding process for public improvement projects conducted by the state board of regents.

Read first time and placed on the **calendar**.

House File 2302, by committee on Transportation, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2303, by committee on Environmental Protection, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2304, by committee on Transportation, a bill for an act relating to motor vehicles approaching certain stationary motor vehicles, and providing penalties.

Read first time and placed on the **calendar**.

House File 2305, by committee on Commerce, a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2306, by Bennett, Meyer, Kurth, Mascher, Anderson, T. Taylor, Kearns, Gaskill, Hunter, Running-Marquardt, Winckler, Lensing, Kressig, Kaufmann, Staed, M. Smith, and Hinson, a bill for

an act relating to insurance coverage for dispensing prescription contraceptives in certain quantities.

Read first time and referred to committee on **Commerce**.

House File 2307, by committee on Commerce, a bill for an act relating to the sale or acquisition of certain utilities.

Read first time and placed on the **calendar**.

House File 2308, by committee on Commerce, a bill for an act relating to final-stage motor vehicle manufacturers.

Read first time and placed on the **calendar**.

SENATE MESSAGE CONSIDERED

Senate File 2117, by committee on Appropriations, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT OF ADMINISTRATIVE SERVICES

Equal Opportunity Contract Compliance Policy Report, pursuant to Iowa Code section 19B.7.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Watershed Improvement Review Board Report, pursuant to Iowa Code section 466A.3.

DEPARTMENT OF EDUCATION

Kindergarten Literacy Assessment Report, pursuant to Iowa Code section 279.60.

DEPARTMENT OF JUSTICE
Attorney General

Prosecutor Intern Program Report, pursuant to Iowa Code section 13.2.

DEPARTMENT OF NATURAL RESOURCES

Low Level Radioactive Waste Compact Report, pursuant to Iowa Code section 457B.1.

DEPARTMENT OF REVENUE

Tax Gap Compliance Project Report, pursuant to Iowa Code section 421.17.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

ECONOMIC DEVELOPMENT AUTHORITY

Industrial New Jobs Training Program Review Report, pursuant to Iowa Code section 260E.7.

SUBCOMMITTEE ASSIGNMENT

House File 2299

Human Resources: Lundgren, Chair; Forbes and Holt.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House Joint Resolution 2006), opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

Committee Bill (Formerly House File 513), relating to the safe operation of bicycles, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2018.

Committee Bill (Formerly House File 2248), relating to special certificates issued to aircraft manufacturers, transporters, and dealers, providing fees, making penalties applicable, and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House Study Bill 587), relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2018.

On motion by Hagenow of Polk, the House adjourned at 10:08 a.m., until 1:00 p.m., Monday, February 12, 2018.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 12, 2018

The House met pursuant to adjournment at 1:01 p.m., Kerr of Louisa in the chair.

Prayer was offered by Pastor Clayton George, Apostolic Church, Anamosa. He was the guest of McKean of Jones.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Claire Terhaar, Chief Clerk's Page from Winterset.

The Journal of Friday, February 9, 2018, was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2008, by committee on Transportation, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2309, by committee on Human Resources, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

Read first time and placed on the **calendar**.

House File 2310, by committee on Judiciary, a bill for an act relating to the supervisory custody and control of a county courthouse.

Read first time and placed on the **calendar**.

House File 2311, by committee on Public Safety, a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

Read first time and placed on the **calendar**.

House File 2312, by committee on Public Safety, a bill for an act relating to testing violent crime evidence collection kits by the state criminalistics laboratory.

Read first time and placed on the **calendar**.

House File 2313, by committee on Transportation, a bill for an act permitting the transportation of raw forest products on motor vehicles exceeding certain weight limitations.

Read first time and placed on the **calendar**.

House File 2314, by committee on Local Government, a bill for an act permitting cities to charge certain fireworks violations as municipal infractions, and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2315, by Gaskill, a bill for an act relating to animals, including dogs, that are subject to certain health and safety regulations, including by providing for rabies control, and the confiscation, impoundment, and disposition of such animals, providing a criminal penalty, and making penalties applicable.

Read first time and referred to committee on **Agriculture**.

House File 2316, by Heartsill, a bill for an act relating to home improvement fraud and providing penalties for contractors who commit home improvement fraud.

Read first time and referred to committee on **Commerce**.

House File 2317, by Salmon, a bill for an act relating to the core curriculum and twenty-first century learning skills adopted or defined by the state board of education.

Read first time and referred to committee on **Education**.

House File 2318, by committee on Judiciary, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Read first time and placed on the **calendar**.

House File 2319, by committee on Veterans Affairs, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Read first time and placed on the **calendar**.

House File 2320, by committee on Judiciary, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

Read first time and placed on the **calendar**.

House File 2321, by committee on Labor, a bill for an act relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

Read first time and placed on the **calendar**.

SPECIAL PRESENTATION

M. Smith of Marshall introduced to the House former legislator John Beard.

The House rose and expressed its welcome.

SPONSOR ADDED

House File 2306 – Maxwell of Poweshiek

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 659 Labor

Relating to private employer alcohol testing policies.

H.S.B. 660 Education

Relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds.

H.S.B. 661 Natural Resources

Exempting the state and municipalities from liability for claims involving honeybees on public property.

H.S.B. 662 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

H.S.B. 663 Education

Relating to the components of a comparable system of career paths and compensation for school districts.

SUBCOMMITTEE ASSIGNMENTS

House File 2278

Appropriations: Hinson, Chair; R. Taylor and Winckler.

House File 2279

Appropriations: Dolecheck, Chair; Fisher and Winckler.

House File 2315

Agriculture: Klein, Chair; Holz and H. Miller.

House File 2317

Education: Salmon, Chair; Staed and Wheeler.

Senate File 2117

Appropriations: Grassley, Chair; Hall and Hinson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 653**

Judiciary: Nunn, Chair; Olson and Paustian.

House Study Bill 659

Labor: Holz, Chair; Klein and T. Taylor.

House Study Bill 660

Education: Koester, Chair; Gaines and Hager.

House Study Bill 661

Natural Resources: Maxwell, Chair; Cownie and Thede.

House Study Bill 663

Education: Jacobsen, Chair; Bossman and R. Smith.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 607), relating to out-of-state drug rehabilitation programs for certain bailable defendants and parolees.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 621), relating to nonsubstantive Code corrections.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

AMENDMENT FILED

H-8008 H.F. 2297 Deyoe of Story

On motion by Hagenow of Polk, the House adjourned at 1:20 p.m., until 8:30 a.m., Tuesday, February 13, 2018.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 13, 2018

The House met pursuant to adjournment at 8:30 a.m., Wills of Dickinson in the chair.

Prayer was offered by Pastor Charles Thompson, United Methodist Church, Jefferson. He was the guest of Pettengill of Benton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Giorgio Rossi, Page from Des Moines.

The Journal of Monday, February 12, 2018, was approved.

INTRODUCTION OF BILLS

House File 2322, by Jones and Wheeler, a bill for an act relating to the elimination of the college student aid commission and transferring the commission's duties and responsibilities to the office of the treasurer of state, eliminating obsolete or unfunded programs, making appropriations, and providing for related matters, and including effective date provisions.

Read first time and referred to committee on **Education**.

House File 2323, by McKean, a bill for an act relating to the continuation of certain group health insurance after an individual's termination of employment or membership.

Read first time and referred to committee on **Commerce**.

House File 2324, by Isenhardt, a bill for an act relating to a schedule established by the environmental protection commission for civil penalties.

Read first time and referred to committee on **Environmental Protection**.

House File 2325, by Mohr, a bill for an act relating to the awareness and prevention of child sexual abuse, harassment, and exploitation, and to criminal penalties and civil penalties and remedies for human trafficking, and facilitation of a workgroup study regarding mandatory reporter training and certification requirements.

Read first time and referred to committee on **Public Safety**.

House File 2326, by Kressig, Bearinger, Forbes, Brown-Powers, Meyer, Staed, Cohoon, Kurth, Lensing, Abdul-Samad, Steckman, Wolfe, Bennett, Mascher, Isenhardt, Kearns, Ourth, Nielsen, Wessel-Kroeschell, Kacena, Gaskill, Olson, Hunter, Anderson, McConkey, Breckenridge, R. Smith, Winckler, T. Taylor, and Jacoby, a bill for an act relating to the medical cannabidiol Act, by amending the definition of medical cannabidiol and altering the composition and duties of the medical cannabidiol board.

Read first time and referred to committee on **Public Safety**.

House File 2327, by Lundgren, a bill for an act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services.

Read first time and referred to committee on **Human Resources**.

House File 2328, by Fry, a bill for an act providing for open adoptions and voluntary postadoption contact agreements relating to private termination of parental rights and adoption proceedings.

Read first time and referred to committee on **Judiciary**.

SPECIAL PRESENTATION

Paustian of Scott introduced to the House former legislator Steve Olson.

The House rose and expressed its welcome.

On motion by Nunn of Polk, the House was recessed at 8:44 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:01 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

House File 2329, by Mascher, a bill for an act relating to duties of and programs administered by the state board of regents and institutions governed by the state board of regents.

Read first time and referred to committee on **Education**.

House File 2330, by Mascher, a bill for an act providing for the development and implementation of guidelines for schools for the management of students with life-threatening food allergies.

Read first time and referred to committee on **Education**.

House File 2331, by Rogers, a bill for an act relating to mental health services, including the provision of intensive residential service homes for persons with serious and persistent mental illness under Medicaid managed care and out-of-state placements for persons with mental illness.

Read first time and referred to committee on **Human Resources**.

House File 2332, by Brown-Powers, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing reporting requirements, providing for criminal offenses, and including penalties.

Read first time and referred to committee on **Public Safety**.

House File 2333, by Isenhart, a bill for an act relating to leases between local governments and persons using land for farming.

Read first time and referred to committee on **Agriculture**.

House File 2334, by Staed, a bill for an act relating to activities associated with agriculture, natural resources, and the environment, including by increasing the sales and use tax rates, transferring moneys to the natural resources and outdoor recreation trust fund, funding certain government entities and initiatives, providing for an Iowa water policy, establishing water quality and water management objectives, goals, and benchmarks, regulating confinement feeding operations, making appropriations, and including effective date and applicability provisions.

Read first time and referred to committee on **Agriculture**.

House File 2335, by Kearns, T. Taylor, Hunter, Holt, Gaskill, Anderson, Winckler, Kurth, Lensing, H. Miller, Abdul-Samad, Bennett, Maxwell, Cohoon, Heaton, Staed, Meyer, Kacena, Steckman, Ourth, Watts, Prichard, Salmon, Baxter, Jacobsen, Zumbach, Heartsill, and Gaines, a bill for an act providing a preference to veterans participating in a program to lease certain agricultural land from the department of natural resources, and including effective date provisions.

Read first time and referred to committee on **Natural Resources**.

House File 2336, by committee on Transportation, a bill for an act relating to special certificates issued to aircraft manufacturers, transporters, and dealers, providing fees, making penalties applicable, and including effective date and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2337, by committee on Commerce, a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2338, by committee on Public Safety, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2339, by R. Taylor, a bill for an act relating to cigarettes, tobacco products, alternative nicotine products, and vapor products, including taxation of such products.

Read first time and referred to committee on **Human Resources**.

House File 2340, by committee on Agriculture, a bill for an act relating to controversies involving fence viewers.

Read first time and placed on the **calendar**.

House File 2341, by committee on Transportation, a bill for an act relating to the safe operation of bicycles, providing penalties, and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2342, by committee on Public Safety, a bill for an act prohibiting the purchase of weapons seized as a public nuisance by certain persons.

Read first time and placed on the **calendar**.

House File 2343, by committee on Judiciary, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation.

Read first time and placed on the **calendar**.

House File 2344, by committee on State Government, a bill for an act relating to the dispensing of cash from a device located at a licensed pari-mutuel wagering or gambling game facility.

Read first time and placed on the **calendar**.

House File 2345, by committee on Public Safety, a bill for an act studying placement options for sex offenders who qualify for release from the custody of the department of human services or the department of corrections.

Read first time and placed on the **calendar**.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 664 Human Resources

Relating to the programs and services under the purview of the department on aging.

H.S.B. 665 Human Resources

Establishing a mandatory reporter curriculum and training workgroup.

H.S.B. 666 Human Resources

Relating to public assistance program oversight.

H.S.B. 667 Judiciary

Relating to the boards of directors of public corporations, and including effective date provisions.

H.S.B. 668 Judiciary

Relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2003 Reassigned

Judiciary: Hinson, Chair; Olson and Windschitl.

House File 333

State Government: Bacon, Chair; R. Smith and Zumbach.

House File 2178

Human Resources: Bergan, Chair; Salmon and Wessel-Kroeschell.

House File 2294

Judiciary: Hinson, Chair; Rizer and Wessel-Kroeschell.

House File 2295

Judiciary: McKean, Chair; Jones and Lensing.

House File 2327

Human Resources: Lundgren, Chair; Brown-Powers and Fry.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 662**

Judiciary: Koester, Chair; Gustafson and R. Smith.

House Study Bill 664

Human Resources: R. Taylor, Chair; Bacon and Hunter.

House Study Bill 665

Human Resources: Koester, Chair; Anderson and Jacobsen.

House Study Bill 666

Human Resources: Holt, Chair; Mascher and Salmon.

House Study Bill 666 Reassigned

Human Resources: Holt, Chair; Heddens and Salmon.

House Study Bill 667

Judiciary: Koester, Chair; Baltimore and Wolfe.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 559), relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 591), relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 599), relating to permissible interest rates and finance charges for certain loans.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 624), relating to municipal utility retirement systems.

Fiscal Note: **No**

Recommendation: **Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 637), relating to health benefit plans for members of certain agricultural organizations.

Fiscal Note: **No**

Recommendation: **Do Pass** February 12, 2018.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 92), relating to student personal information protection and providing remedies.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

Committee Bill (Formerly House File 2176), requiring school employee training and protocols relating to suicide prevention and trauma-informed care.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 561), relating to terminology changes in education-related Iowa Code references to foreign languages.

Fiscal Note: **No**

Recommendation: **Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 563), expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

Fiscal Note: **No**

Recommendation: **Do Pass** February 12, 2018.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 2275), relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House File 2299), relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 517), relating to access to certain child abuse and dependent adult abuse information by free clinics.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 614), relating to the provision of information regarding postadoption services to all adoptive families.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 628), relating to the substitute decision maker Act.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 629), relating to the provision of medical support in child support actions, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 631), relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 635), establishing an interim study committee relating to child welfare.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 638), relating to the state training school at Eldora.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

COMMITTEE ON LABOR

Committee Bill (Formerly House Study Bill 659), relating to private employer alcohol testing policies.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Study Bill 514), setting the dates for the submission of local public measures to the electors.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 625), concerning county supervisor representation and districting plans.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 2166), relating to the management of the spread of diseases in wild animals and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

Committee Bill (Formerly House File 2218), prohibiting the tampering with an electronic handling device attached to or worn by a dog or attached to an item worn by a dog, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 12, 2018.

Committee Bill (Formerly House File 2251), relating to the seizure of property by the department of natural resources.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House File 2273), relating to the classification or definition of firearms.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 566), relating to conservation and recreation policies and programs within the department of natural resources.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 12, 2018.

Committee Bill (Formerly House Study Bill 661), exempting the state and municipalities from liability for claims involving honeybees on public property.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 2045), establishing a veterans recovery pilot program and fund for the reimbursement of expenses related to providing hyperbaric oxygen treatment to eligible veterans.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 580), regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

On motion by Hagenow of Polk, the House adjourned at 5:06 p.m., until 8:30 a.m., Wednesday, February 14, 2018.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 14, 2018

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Zach Kautzky, Parochial Vicar at St. Francis of Assisi Parish and Chaplain at Dowling Catholic High School, West Des Moines. He was the guest of Jacobsen of Pottawattamie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Paul Attema, Page from Pella.

The Journal of Tuesday, February 13, 2018, was approved.

INTRODUCTION OF BILLS

House File 2346, by committee on Veterans Affairs, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

Read first time and referred to committee on **Appropriations**.

House File 2347, by Heaton and Bergan, a bill for an act relating to the involuntary commitment or hospitalization of a person with a serious mental impairment or a substance-related disorder who is taken into immediate custody.

Read first time and referred to committee on **Human Resources**.

House File 2348, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

Read first time and placed on the **calendar**.

House File 2349, by committee on State Government, a bill for an act relating to persons voluntarily excluded from gambling facilities.

Read first time and placed on the **calendar**.

House File 2350, by committee on Education, a bill for an act requiring school employee training and protocols relating to suicide prevention and trauma-informed care.

Read first time and placed on the **calendar**.

House File 2351, by committee on State Government, a bill for an act relating to continuation of health care coverage for certain surviving spouses and children of peace officers killed in the line of duty, and including effective date and retroactive applicability provisions.

Read first time and placed on the **calendar**.

On motion by Hagenow of Polk, the House was recessed at 8:45 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:07 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

House File 2352, by Hunter and Anderson, a bill for an act establishing the healthy Iowa program and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

House File 2353, by committee on Human Resources, a bill for an act establishing an interim study committee relating to child welfare.

Read first time and placed on the **calendar**.

House File 2354, by committee on Education, a bill for an act relating to student personal information protection.

Read first time and placed on the **calendar**.

House File 2355, by committee on Veterans Affairs, a bill for an act establishing a veterans recovery pilot program and fund for the reimbursement of expenses related to providing hyperbaric oxygen treatment to eligible veterans.

Read first time and placed on the **calendar**.

House File 2356, by committee on Human Resources, a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

Read first time and placed on the **calendar**.

House File 2357, by Hunter, Kacena, Kearns, and Gaskill, a bill for an act providing for a country of origin label and allowing for injunctive relief.

Read first time and referred to committee on **Agriculture**.

House File 2358, by Steckman, a bill for an act requiring the boards of directors of school districts to appoint student liaisons to the boards.

Read first time and referred to committee on **Education**.

House File 2359, by Hall, a bill for an act relating to sexual assault policies adopted by state and accredited private postsecondary institutions.

Read first time and referred to committee on **Education**.

House File 2360, by Hall, a bill for an act requiring the state board of regents to issue a request for proposals for a higher education needs assessment for northwest Iowa.

Read first time and referred to committee on **Education**.

House File 2361, by Hall, a bill for an act relating to state and school antiharassment and antibullying policies, providing for training for school personnel, establishing a bullying and violence

prevention student mentoring pilot program, and providing for a school climate and bullying prevention work group.

Read first time and referred to committee on **Education**.

House File 2362, by Isenhardt, Steckman, Kearns, Anderson, Kacena, Mascher, McConkey, Kurth, Wessel-Kroeschell, Lensing, Winckler, Forbes, Cohoon, M. Smith, Beringer, Brown-Powers, R. Smith, Staed, T. Taylor, Ourth, Gaskill, Bennett, Meyer, Thede, Kressig, Olson, Heddens, Gaines, Oldson, Jacoby, Abdul-Samad, Prichard, Nielsen, Hunter, Wolfe, Breckenridge, P. Miller, Hall, H. Miller, Running-Marquardt, and Finkenauer, a bill for an act providing for the inclusion of the state as a member of the United States climate alliance.

Read first time and referred to committee on **Environmental Protection**.

House File 2363, by Hall, a bill for an act requiring payment of the migratory game bird fee before hunting mourning doves, and providing a penalty.

Read first time and referred to committee on **Natural Resources**.

House File 2364, by committee on Commerce, a bill for an act relating to health benefit plans for members of certain agricultural organizations.

Read first time and placed on the **calendar**.

House File 2365, by committee on Natural Resources, a bill for an act relating to conservation and recreation policies and programs within the department of natural resources.

Read first time and placed on the **calendar**.

House File 2366, by committee on Judiciary, a bill for an act relating to out-of-state drug rehabilitation programs for certain bailable defendants and parolees.

Read first time and placed on the **calendar**.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 669 Commerce

Relating to the composition of the engineering and land surveying examining board.

H.S.B. 670 Education

Establishing an educators' bill of rights and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2121

Ways and Means: Vander Linden, Chair; Kearns and Windschitl.

House File 2160

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2191

Ways and Means: Vander Linden, Chair; Bennett and Pettengill.

House File 2225

Ways and Means: Vander Linden, Chair; Prichard and Windschitl.

House File 2228

Ways and Means: Maxwell, Chair; Jacoby and Pettengill.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 668

Judiciary: Baltimore, Chair; Rizer and Wolfe.

House Study Bill 669

Commerce: Holz, Chair; Lundgren and McConkey.

House Study Bill 670

Education: Mommsen, Chair; Moore and Steckman.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 455, a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8010** February 14, 2018.

Senate File 2117, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8012** February 14, 2018.

Committee Bill (Formerly House File 2279), establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Joint Resolution 13), proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to acquire, keep, possess, transport, carry, transfer, and use arms.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Joint Resolution 2003), proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House File 135), relating to the powers of an agent under a power of attorney with respect to real property.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House File 530), relating to the failure to wear a motor vehicle safety belt or safety harness.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 581), relating to DNA testing of certain criminal offenders.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 622), relating to consumer protection modifying provisions applicable to consumer security freezes and personal information security breach protection.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 626), relating to child abuse involving the commission of a sexual offense with or to a child by a person who is eighteen years of age or older.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 627), relating to the disposition of a child found to have committed a delinquent act.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 633), relating to unenforceable provisions in rental agreements.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 214), relating to sex offender registration requirements, sexually violent predators, and the commission of the offense of child endangerment by a sex offender, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House File 2091), relating to electronic and mechanical eavesdropping.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House File 2150), relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 165), establishing a length of service award program for volunteer fire fighters, concerning income tax deductions for volunteer fire fighters, making appropriations, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 603), relating to criminal acts committed on or against critical infrastructure property and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House Study Bill 639), relating to the coordination of enforcement activities between the department of transportation and the department

of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 2153), establishing an Iowa national service corps program administered by the Iowa commission on volunteer service.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2229), relating to probate, by amending the court fees in probate and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

AMENDMENTS FILED

H-8009	H.F.	2276	Olson of Polk
H-8010	S.F.	455	Committee on Appropriations
H-8011	H.F.	2348	Committee on Judiciary
H-8012	S.F.	2117	Committee on Appropriations

On motion by Hagenow of Polk, the House adjourned at 5:11 p.m., until 8:30 a.m., Thursday, February 15, 2018.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day - Twenty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 15, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Rabbi Emily Barton, Tifereth Israel Synagogue, Des Moines. She was the guest of Abdul-Samad of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amanda Oswald, Special Olympics Athlete and T.J. Hon, of Best Buddies of Iowa. They were the guests of Speaker Upmeyer.

The Journal of Wednesday, February 14, 2018, was approved.

INTRODUCTION OF BILLS

House File 2367, by committee on Education, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

Read first time and placed on the **calendar**.

House File 2368, by committee on Veterans Affairs, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2369, by committee on Local Government, a bill for an act setting the dates for the submission of local public measures to the electors.

Read first time and placed on the **calendar**.

House File 2370, by committee on Human Resources, a bill for an act relating to the provision of information regarding postadoption services to all adoptive families.

Read first time and placed on the **calendar**.

House File 2371, by committee on Natural Resources, a bill for an act exempting the state and municipalities from liability for claims involving honeybees on public property.

Read first time and placed on the **calendar**.

House File 2372, by committee on Local Government, a bill for an act concerning county supervisor districting plans.

Read first time and placed on the **calendar**.

House File 2373, by Hall, a bill for an act relating to property taxation by modifying provisions relating to assessment and exemption of certain property, modifying provisions relating to property assessment appeals, and providing for the reimbursement of certain appeal costs.

Read first time and referred to committee on **Ways and Means**.

House File 2374, by Hunter, Oldson, McConkey, Kearns, Steckman, and Kurth, a bill for an act providing for the future repeal of certain tax credits.

Read first time and referred to committee on **Ways and Means**.

House File 2375, by committee on Commerce, a bill for an act relating to permissible interest rates and charges for certain loans.

Read first time and placed on the **calendar**.

On motion by Hagenow of Polk, the House was recessed at 8:46 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:00 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2009, by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

Read first time and placed on the **calendar**.

House File 2376, by Oldson and Anderson, a bill for an act relating to the transfer of the mental health and disability services regions to the department of public health.

Read first time and referred to committee on **Human Resources**.

House File 2377, by committee on Human Resources, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2378, by committee on State Government, a bill for an act relating to joint exercise of government powers for federally recognized Indian tribes.

Read first time and placed on the **calendar**.

House File 2379, by committee on Commerce, a bill for an act relating to municipal utility retirement systems.

Read first time and placed on the **calendar**.

House File 2380, by committee on State Government, a bill for an act relating to boards of trustees for county and city hospitals.

Read first time and placed on the **calendar**.

House File 2381, by committee on Judiciary, a bill for an act relating to the disposition of a child found to have committed a delinquent act.

Read first time and placed on the **calendar**.

House File 2382, by committee on Commerce, a bill for an act relating to the composition of the engineering and land surveying examining board.

Read first time and placed on the **calendar**.

House File 2383, by committee on Labor, a bill for an act relating to private employer alcohol testing policies.

Read first time and placed on the **calendar**.

House File 2384, by committee on Judiciary, a bill for an act relating to unenforceable provisions in rental agreements.

Read first time and placed on the **calendar**.

BILLS PLACED ON THE UNFINISHED BUSINESS CALENDAR

Hagenow of Polk asked and received unanimous consent that the following bills be placed on the unfinished business calendar.

Senate File 220	Senate File 360
Senate File 455	Senate File 475
Senate File 2117	

SPONSOR ADDED

House File 2358 – Staed of Linn

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 671 Ways and Means

Relating to state and local revenue and finance by modifying the

income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

SUBCOMMITTEE ASSIGNMENT

House File 2358

Education: Jacobsen, Chair; Rogers and Steckman.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 2260), relating to the application of pesticides into lakes, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 623), regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 640), providing for the management of weeds, including noxious weeds, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 645), relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 528), relating to wrecked or salvage motor vehicles, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 594), limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 600), relating to the division of domestic stock insurers into two or more domestic stock insurers and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 602), creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 669), relating to the composition of the engineering and land surveying examining board.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 2006), providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2358), requiring the boards of directors of school districts to appoint student liaisons to the boards.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 647), relating to the collection of sales tax for deposit in the secure an advanced vision for education fund and to the use of tax revenue from the secure an advanced vision for education fund.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 650), relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective and applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 660), relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 663), relating to the components of a comparable system of career paths and compensation for school districts.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 428), relating to reporting accidents resulting in injury or death, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2040), relating to the review of a child support order based upon an obligor's qualification for a low-income adjustment.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2066), relating to the expungement of simple misdemeanor offenses.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2090), relating to restitution paid to the estate or heirs at law of a crime victim.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2105), relating to an agent's termination or suspension of authority for a power of attorney.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2165), prohibiting a cause of action for wrongful birth or wrongful life, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2265), relating to the admissibility of evidence of an employee's criminal history in civil actions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2266), relating to the restoration of the rights of citizenship, and providing for a contingent effective date.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2294), relating to technical violations of probation.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House File 2295), relating to the misrepresentation of a person as an owner or trainer of a service dog or assistive animal and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 608), prohibiting the mistreatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 653), relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment and supervised electronic tracking and monitoring.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 662), relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 667), relating to the boards of directors of public corporations, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2018.

Committee Bill (Formerly House Study Bill 668), relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2018.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House Study Bill 618), relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 641), relating to child abuse involving access to a child by a person who is a sex offender.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 652), relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 655), relating to the assessment of an agricultural theft surcharge on criminal offenses involving the theft of crops or livestock, and making an appropriation.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 2152), providing for online reports of waivers and variances granted by the boards for certain medical professions and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House File 2296), establishing a physical therapy licensure compact.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 589), relating to the expenditure of public funds and funds held in trust by statewide elected officials or local officials on certain forms of advertisement and imposing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 590), creating the tax return preparer oversight Act to provide for the regulation of tax return preparers by the Iowa accountancy examining board, modifying the powers and duties of the Iowa accountancy examining board and the director of revenue, and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 592), relating to the conduct of sports betting by gambling licensees, making penalties applicable, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 611), relating to boards of trustees for county and city hospitals.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 643), relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 644), relating to joint exercise of government powers for federally recognized Indian tribes.

Fiscal Note: **No**

Recommendation: **Do Pass** February 13, 2018.

Committee Bill (Formerly House Study Bill 658), relating to allowable forms for payment for social and charitable gambling.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2018.

COMMITTEE ON TRANSPORTATION

Senate File 449, a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8039** February 13, 2018.

AMENDMENTS FILED

H-8013	S.F.	475	Mascher of Johnson
H-8014	S.F.	475	Mascher of Johnson
H-8015	S.F.	475	Steckman of Cerro Gordo
H-8016	S.F.	475	R. Smith of Black Hawk Mascher of Johnson
H-8017	S.F.	475	Steckman of Cerro Gordo
H-8018	S.F.	475	Mascher of Johnson
H-8019	S.F.	475	Winckler of Scott
H-8020	S.F.	475	Mascher of Johnson
H-8021	S.F.	475	Breckenridge of Jasper
H-8022	S.F.	475	Steckman of Cerro Gordo
H-8023	S.F.	475	Mascher of Johnson
H-8024	S.F.	475	Winckler of Scott
H-8025	S.F.	475	R. Smith of Black Hawk
H-8026	S.F.	475	Staed of Linn
H-8027	S.F.	475	Forbes of Polk
H-8028	S.F.	475	Winckler of Scott
H-8029	S.F.	475	Nielsen of Johnson
H-8030	S.F.	475	Staed of Linn
H-8031	S.F.	475	Brown-Powers of Black Hawk
H-8032	S.F.	475	Nielsen of Johnson
H-8033	S.F.	475	Nielsen of Johnson
H-8034	S.F.	475	Nielsen of Johnson
H-8035	S.F.	475	Winckler of Scott
H-8036	H.F.	2252	Winckler of Scott
H-8037	H.F.	2252	Winckler of Scott
H-8038	H.F.	2234	McConkey of Pottawattamie
H-8039	S.F.	449	Committee on Transportation
H-8040	H.F.	2370	Hunter of Polk

On motion by Hagenow of Polk, the House adjourned at 3:03 p.m., until 10:00 a.m., Friday, February 16, 2018.

JOURNAL OF THE HOUSE

Fortieth Calendar Day - Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 16, 2018

The House met pursuant to adjournment at 10:05 a.m., Hagenow of Polk in the chair.

Prayer was offered by Hagenow of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by wrestling cheerleaders from Wapsi Valley High School. They were the guests of Hagenow of Polk.

The Journal of Thursday, February 15, 2018, was approved.

INTRODUCTION OF BILLS

House File 2385, by Prichard and Steckman, a bill for an act expanding the skilled workforce shortage tuition grant program administered by the college student aid commission and making an appropriation.

Read first time and referred to committee on **Education**.

House File 2386, by Heaton, a bill for an act relating to home health provider reimbursement under the Medicaid program.

Read first time and referred to committee on **Human Resources**.

House File 2387, by Mascher, Hunter, Kacena, Nielsen, R. Smith, Forbes, McConkey, Brown-Powers, Isenhardt, Gaines, Gaskill, Winckler, Lensing, Kurth, Staed, Kearns, and T. Taylor, a bill for an act relating to restitution for claims arising from members of the general assembly committing unlawful and unfair or discriminatory employment practices.

Read first time and referred to committee on **Judiciary**.

House File 2388, by Anderson, a bill for an act providing for certification for purposes of federal immigration law of alien victims of crime who are helpful to law enforcement.

Read first time and referred to committee on **Public Safety**.

House File 2389, by committee on Natural Resources, a bill for an act prohibiting the tampering with an electronic handling device attached to or worn by a dog or attached to an item worn by a dog, and providing penalties.

Read first time and placed on the **calendar**.

House File 2390, by committee on Education, a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages.

Read first time and placed on the **calendar**.

House File 2391, by committee on Commerce, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Read first time and placed on the **calendar**.

House File 2392, by committee on Public Safety, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications.

Read first time and placed on the **calendar**.

House File 2393, by committee on Natural Resources, a bill for an act relating to the seizure of property by the department of natural resources.

Read first time and placed on the **calendar**.

House File 2394, by committee on Public Safety, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties.

Read first time and placed on the **calendar**.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

BOARD OF MEDICINE

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12.

COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual Report, pursuant to Iowa Code section 312.3B.

DEPARTMENT OF EDUCATION

Early Education Block Grant Program Report, pursuant to Iowa Code section 256D.3.

DEPARTMENT OF REVENUE

Individual Income Tax Research Activities Credit Report, pursuant to Iowa Code section 422.10.

Economic Development Award Research Activities Credit Report, pursuant to Iowa Code section 15.335.

Corporate Income Tax Research Activities Credit Report, pursuant to Iowa Code section 422.33.

DEPARTMENT OF TRANSPORTATION

Replacement and Repair of Structurally Deficient Secondary Bridges Report, pursuant to Iowa Code section 307.32.

LEGISLATIVE SERVICES AGENCY

Urban Renewal Tax Increment Financing Report, pursuant to Iowa Code section 331.403.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 2289), providing for the designation of a caregiver relating to a patient's inpatient stay at a hospital.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House File 2327), relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 516), relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 630), relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 632), relating to programs and activities under the purview of the department of human services.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 664), relating to the programs and services under the purview of the department on aging.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 666), relating to public assistance program oversight.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 2215), relating to township funding for fire protection and emergency medical services and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House File 2216), relating to the issuance of general obligation bonds for certain general county purposes.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 56), relating to the discharge of motor vehicle security interests.

Fiscal Note: **No**

Recommendation: **Do Pass** February 15, 2018.

Committee Bill (Formerly House Study Bill 601), creating a law enforcement body camera interim workgroup.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 15, 2018.

RESOLUTION FILED

H.R. 103, by Hinson, a resolution honoring and congratulating Kaleb Cook for his volunteer service and receiving a Prudential Spirit of Community Award.

Laid over under **Rule 25**.

On motion by Pettengill of Benton, the House adjourned at 10:09 a.m., until 1:00 p.m., Monday, February 19, 2018.

JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 19, 2018

The House met pursuant to adjournment at 1:00 p.m., Heartsill of Marion in the chair.

Prayer was offered by Rabbi Emeritus Henry Jay Karp, Temple Emanuel, Davenport. He was the guest of McKean of Jones and Thede of Scott.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bailey Veatch, Page from Ottumwa.

The Journal of Friday, February 16, 2018, was approved.

INTRODUCTION OF BILLS

House File 2395, by committee on Public Safety, a bill for an act relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2396, by committee on Judiciary, a bill for an act relating to the misrepresentation of a person as an owner or trainer of a service dog or assistive animal and providing penalties.

Read first time and placed on the **calendar**.

House File 2397, by committee on Judiciary, a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions.

Read first time and placed on the **calendar**.

House File 2398, by committee on Education, a bill for an act relating to the components of a comparable system of career paths and compensation for school districts.

Read first time and placed on the **calendar**.

House File 2399, by committee on Human Resources, a bill for an act relating to the state training school at Eldora.

Read first time and placed on the **calendar**.

House File 2400, by committee on Judiciary, a bill for an act relating to reporting accidents resulting in injury or death, and providing penalties.

Read first time and placed on the **calendar**.

House File 2401, by committee on Public Safety, a bill for an act relating to child abuse involving access to a child by a person who is a sex offender.

Read first time and placed on the **calendar**.

House File 2402, by committee on Judiciary, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney.

Read first time and placed on the **calendar**.

House File 2403, by committee on Natural Resources, a bill for an act relating to the rescission of an administrative rule relating to the use of certain handguns for hunting deer and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2404, by committee on Judiciary, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim.

Read first time and placed on the **calendar**.

House File 2405, by committee on Judiciary, a bill for an act prohibiting a cause of action for wrongful birth or wrongful life, and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

The House stood at ease at 1:23 p.m., until the fall of the gavel.

The House resumed session at 3:03 p.m., Speaker Upmeyer in the chair.

On motion by Hagenow of Polk, the House was recessed at 3:04 p.m., until the conclusion of the committee on Ways and Means.

AFTERNOON SESSION

The House reconvened at 4:29 p.m., Windschitl of Harrison in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2010, by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

Read first time and placed on the **calendar**.

House File 2406, by committee on Appropriations, a bill for an act establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions.

Read first time and placed on the **Appropriations calendar**.

House File 2407, by committee on Agriculture, a bill for an act relating to the application of pesticides into lakes, and providing penalties.

Read first time and placed on the **calendar**.

House File 2408, by committee on Agriculture, a bill for an act regulating the sale of eggs by grocery stores participating in a federal program.

Read first time and placed on the **calendar**.

House File 2409, by committee on Commerce, a bill for an act relating to wrecked or salvage motor vehicles.

Read first time and placed on the **calendar**.

House File 2410, by committee on Public Safety, a bill for an act relating to sex offender registration requirements, sexually violent predators, and the commission of the offense of child endangerment by a sex offender, and providing penalties.

Read first time and placed on the **calendar**.

House File 2411, by committee on Judiciary, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property.

Read first time and placed on the **calendar**.

House File 2412, by committee on Judiciary, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness.

Read first time and placed on the **calendar**.

House File 2413, by committee on Judiciary, a bill for an act relating to child abuse involving the commission of a sexual offense with or to a child by a person who is eighteen years of age or older.

Read first time and placed on the **calendar**.

House File 2414, by committee on Human Resources, a bill for an act relating to the provision of medical support in child support actions, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2415, by committee on State Government, a bill for an act providing for online reports of waivers and variances granted by the boards for certain medical professions and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2416, by committee on Transportation, a bill for an act relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2417, by committee on State Government, a bill for an act relating to allowable forms for payment for amusement concessions at a fair.

Read first time and placed on the **calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2020, a bill for an act relating to the percentage of campsites in a state park or preserve that may be reserved through a centralized reservation system.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2059, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2067, a bill for an act relating to lighted headlamps on motor vehicles, and making penalties applicable.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2098, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2099, a bill for an act relating to probate and the administration of small estates and including applicability provisions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2118, a bill for an act relating to youth deer hunting license seasonal use restrictions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2139, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2163, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2167, a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2201, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2227, a bill for an act relating to the publication of county resolutions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2257, a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2271, a bill for an act relating to motor carriers, and making penalties applicable.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 455, a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Rogers of Black Hawk offered amendment H-8010 filed by the committee on Appropriations.

Winckler of Scott offered amendment H-8042, to the committee amendment H-8010, filed by her from the floor.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8042 to the committee amendment H-8010.

Rogers of Black Hawk moved the adoption of the committee amendment H-8010.

The committee amendment H-8010 was adopted.

Rogers of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 455)

The ayes were, 92:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 5:

Hunter	Meyer	Oldson	Olson
Winckler			

Absent or not voting, 3:

Abdul-Samad	Baltimore	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Regular Calendar

House File 2197, a bill for an act relating to the administration of driving skills tests required for a commercial driver's license, was taken up for consideration.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2197)

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2231, a bill for an act relating to the development and maintenance of specified policies by the department of natural resources, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2231)

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanuska	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2281, a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions, was taken up for consideration.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2281)

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2297, a bill for an act relating to boiler and unfired steam pressure vessel inspections, was taken up for consideration.

Deyoe of Story offered amendment H-8008 filed by him and moved its adoption.

Amendment H-8008 was adopted.

Deyoe of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2297)

The ayes were, 57:

Bacon	Baudler	Baxter	Best
Bloomingtondale	Bossmann	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 40:

Anderson	Bearinger	Bennett	Bergan
Breckenridge	Brown-Powers	Cohon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

Abdul-Samad	Baltimore	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2338, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2338)

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad	Baltimore	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2197, 2231, 2281, 2297, 2338** and **Senate File 455**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 164 and 2119 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Abdul-Samad of Polk
Miller, H. of Webster

Baltimore of Boone

SUBCOMMITTEE ASSIGNMENTS

House File 2033

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2046

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2115

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2224

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2268

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2373

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 671

Ways and Means: Cownie, Chair; Forbes, Pettengill, Prichard and Windschitl.

AMENDMENTS FILED

H-8041	H.F.	2355	Prichard of Floyd
H-8042	S.F.	455	Winckler of Scott
H-8043	H.F.	2375	Mohr of Scott
H-8044	H.F.	2285	Kaufmann of Cedar
H-8045	H.F.	2131	Maxwell of Poweshiek
H-8046	H.F.	2307	Landon of Polk
H-8047	H.F.	2199	Wolfe of Clinton
H-8048	H.F.	2392	Heartsill of Marion
H-8049	H.F.	2238	Pettengill of Benton
H-8050	H.F.	2286	Meyer of Polk
H-8051	H.J.R.	2009	Meyer of Polk

On motion by Hagenow of Polk, the House adjourned at 5:37 p.m., until 8:30 a.m., Tuesday, February 20, 2018.

JOURNAL OF THE HOUSE

Forty-fourth Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 20, 2018

The House met pursuant to adjournment at 8:32 a.m., Deyoe of Story in the chair.

Prayer was offered by Pastor Kent Hillesland, Community Chapel, Lakota. He was the guest of Gassman of Winnebago.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by William Klein, son of Klein of Washington.

The Journal of Monday, February 19, 2018, was approved.

INTRODUCTION OF BILLS

House File 2418, by committee on Public Safety, a bill for an act establishing a length of service award program for volunteer fire fighters, concerning income tax deductions for volunteer fire fighters, making appropriations, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2419, by committee on Education, a bill for an act requiring the boards of directors of school districts to appoint student liaisons to the boards.

Read first time and placed on the **calendar**.

House File 2420, by committee on Veterans Affairs, a bill for an act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service.

Read first time and placed on the **calendar**.

House File 2421, by committee on Ways and Means, a bill for an act relating to probate, by amending the court fees in probate and including applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

House File 2422, by committee on Agriculture, a bill for an act providing for the management of weeds, including noxious weeds, and making penalties applicable.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 2020, by Dawson, a bill for an act relating to the percentage of campsites in a state park or preserve that may be reserved through a centralized reservation system.

Read first time and referred to committee on **Natural Resources**.

Senate File 2059, by committee on Local Government, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Read first time and **passed on file**.

Senate File 2067, by Shipley, a bill for an act relating to lighted headlamps on motor vehicles, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

Senate File 2098, by committee on Judiciary, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Read first time and **passed on file**.

Senate File 2099, by committee on Judiciary, a bill for an act relating to probate and the administration of small estates and including applicability provisions.

Read first time and **passed on file**.

Senate File 2118, by committee on Natural Resources and Environment, a bill for an act relating to youth deer hunting license seasonal use restrictions.

Read first time and referred to committee on **Natural Resources**.

Senate File 2139, by committee on Judiciary, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

Read first time and **passed on file**.

Senate File 2163, by committee on Transportation, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

Read first time and **passed on file**.

Senate File 2167, by committee on Judiciary, a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

Read first time and **passed on file**.

Senate File 2201, by committee on Veterans Affairs, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Read first time and **passed on file**.

Senate File 2227, by committee on Local Government, a bill for an act relating to the publication of county resolutions.

Read first time and referred to committee on **Local Government**.

Senate File 2257, by committee on Commerce, a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Read first time and referred to committee on **Commerce**.

Senate File 2271, by committee on Transportation, a bill for an act relating to motor carriers, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

The House stood at ease at 8:46 a.m., until the fall of the gavel.

The House resumed session at 10:58 a.m., Cownie of Polk in the chair.

INTRODUCTION OF BILLS

House File 2423, by committee on Judiciary, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and personal information security breach protection.

Read first time and placed on the **calendar**.

House File 2424, by committee on State Government, a bill for an act relating to tax return preparers.

Read first time and placed on the **calendar**.

CONSIDERATION OF BILLS

Regular Calendar

House File 2117, a bill for an act relating to the assessment of fees when a public defender or designee requests copies of certain documents, was taken up for consideration.

Jones of Clay offered amendment H-8005 filed by her and moved its adoption.

Amendment H-8005 was adopted.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2117)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Brown-Powers
Carlson	Cohoon	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Cownie, Presiding

The nays were, 1:

Breckenridge

Absent or not voting, 3:

Baltimore Hager Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2175, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2175)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2199, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties, was taken up for consideration.

Wolfe of Clinton offered amendment H-8047 filed by her and moved its adoption.

Amendment H-8047 was adopted.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2199)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2235, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions, was taken up for consideration.

Salmon of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2235)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Cownie, Presiding	

The nays were, 3:

Hall	Kacena	Steckman
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Absent or not voting, 2:

Baltimore	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2239, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2239)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2285, a bill for an act relating to supplemental reimbursement for publicly owned or operated ground emergency medical transportation providers through the Medicaid program, and including effective date provisions, was taken up for consideration.

Kaufmann of Cedar offered amendment H-8044 filed by him and moved its adoption.

Amendment H-8044 was adopted.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2285)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Cownie,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2286, a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property, was taken up for consideration.

Meyer of Polk offered amendment H-8050 filed by him and moved its adoption.

Roll call was requested by Meyer of Polk and Hunter of Polk.

On the question "Shall amendment H-8050 be adopted?" (H.F. 2286)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingdale	Bossmann	Carlson
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck

Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Zumbach	Cownie, Presiding		

Absent or not voting, 2:

Baltimore	Miller, H.
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Amendment H-8050 lost.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2286)

The ayes were, 77:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossman	Breckenridge	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kaufmann	Kerr	Klein
Koester	Kressig	Landon	Lundgren
Maxwell	McConkey	McKean	Miller, P.
Mohr	Mommsen	Moore	Nunn
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Cownie, Presiding			

The nays were, 21:

Abdul-Samad	Bennett	Brown-Powers	Gaines
Gaskill	Heddens	Hunter	Kacena
Kearns	Kurth	Lensing	Mascher
Meyer	Nielsen	Oldson	Olson
Smith, R.	Staed	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2302, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2302)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomington	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanus	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2340, a bill for an act relating to controversies involving fence viewers, was taken up for consideration.

Zumbach of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2340)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Cownie,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2370, a bill for an act relating to the provision of information regarding postadoption services to all adoptive families, was taken up for consideration.

Hunter of Polk offered amendment H-8040 filed by him.

Windschitl of Harrison in the chair at 12:03 p.m.

Fry of Clarke rose on a point of order that amendment H-8040 was not germane.

The Speaker ruled the point well taken and amendment H-8040 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8040.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8040.

Roll call was requested by Hunter of Polk and M. Smith of Marshall.

On the question "Shall the rules be suspended to consider amendment H-8040?" (H.F. 2370)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 57:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 3:

Baltimore	Heaton	Miller, H.
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The motion to suspend the rules lost.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2370)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cphoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Ishhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson

Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2383, a bill for an act relating to private employer alcohol testing policies, was taken up for consideration.

Holz of Plymouth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2383)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton

Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 2:

Hunter Kearns

Absent or not voting, 2:

Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILL

House File 2425, by committee on State Government, a bill for an act establishing a physical therapy licensure compact.

Read first time and placed on the **calendar**.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2117, 2175, 2199, 2235, 2239, 2285, 2286, 2302, 2340, 2370 and 2383**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 436, 2013, 2103, 2111 and 2158 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone

Miller, H. of Webster

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2037, a bill for an act relating to the minimum standard of transparency for motor vehicle window tint, providing penalties, and making penalties applicable.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2113, a bill for an act providing for school employee training relating to suicide awareness and prevention.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2114, a bill for an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2131, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2135, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2155, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2175, a bill for an act relating to partition of property in kind and partition of property by sale.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2177, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2200, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

W. CHARLES SMITHSON, Secretary

REPORT OF THE CHIEF CLERK OF THE HOUSE

MADAM SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following correction was made:

House File 2199

1. Page 2, Line 33-Delete Act, replace it with act

CARMINE BOAL
Chief Clerk of the House

SPONSOR ADDED

Amendment H-8040 (H.F. 2370) — Oldson of Polk

EXPLANATIONS OF VOTE

On February 20, 2018, I inadvertently voted “aye” on House File 2286, I meant to vote “nay”.

Anderson of Polk

On February 20, 2018, I inadvertently voted “nay” on House File 2235, I meant to vote “aye”.

Steckman of Cerro Gordo

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 672 Ways and Means

Relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2020

Natural Resources: Kerr, Chair; Jacoby and Wills.

Senate File 2118

Natural Resources: Fisher, Chair; Prichard and Sexton.

AMENDMENTS FILED

H-8052	H.F.	2367	Mascher of Johnson
H-8053	H.F.	2131	Maxwell of Poweshiek
H-8054	H.F.	2394	Worthan of Buena Vista
H-8055	H.F.	2368	Baxter of Hancock
H-8056	H.F.	2410	Breckenridge of Jasper
H-8057	H.F.	2364	Vander Linden of Mahaska Pettengill of Benton
H-8058	H.F.	2236	Staed of Linn
H-8059	H.F.	2236	Bennett of Linn
H-8060	H.F.	2305	Forbes of Polk
H-8061	H.F.	2236	Running-Marquardt of Linn

On motion by Hagenow of Polk, the House adjourned at 12:14 p.m., until 8:30 a.m., Wednesday, February 21, 2018.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 21, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Andy Hermanson, Lutheran Church of Hope, West Des Moines. He was the guest of Fry of Clarke.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Don Batt, United States Veteran and the President of the Boone County Freedom Flight organization. He was the guest of Bacon of Story.

The Journal of Tuesday, February 20, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2137, a bill for an act relating to school bus route ride time limitations.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2274, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

Also: That the Senate has on February 20, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2289, a bill for an act relating to the joint exercise of government powers by federally recognized Indian tribes.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2426, by committee on Judiciary, a bill for an act relating to review of the amount withheld to pay a child support delinquency involving a hardship claim, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2427, by committee on Human Resources, a bill for an act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2428, by committee on Human Resources, a bill for an act relating to eligibility requirements under the Medicaid program.

Read first time and placed on the **calendar**.

House File 2429, by committee on Judiciary, a bill for an act relating to the establishment of an interim study committee to review the restoration of rights for certain persons convicted of a felony.

Read first time and placed on the **calendar**.

House File 2430, by committee on Public Safety, a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, and providing penalties.

Read first time and placed on the **calendar**.

House File 2431, by committee on Public Safety, a bill for an act relating to the assessment of an agricultural theft surcharge on criminal offenses involving the theft of crops, livestock, or honey bees, and making an appropriation.

Read first time and placed on the **calendar**.

House File 2432, by committee on Public Safety, a bill for an act relating to the collection of fees and the performance of background investigations under the medical cannabidiol Act, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2433, by committee on Local Government, a bill for an act relating to county financing of certain public building projects.

Read first time and placed on the **calendar**.

House File 2434, by committee on Human Resources, a bill for an act to ensure appropriate discharge planning and post-hospital services for a patient discharged to the patient's residence.

Read first time and placed on the **calendar**.

House File 2435, by committee on Judiciary, a bill for an act relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment and supervised electronic tracking and monitoring.

Read first time and placed on the **calendar**.

House File 2436, by committee on Judiciary, a bill for an act requesting the establishment of an interim study committee relating to the use of intermediate criminal sanctions and probation revocations.

Read first time and placed on the **calendar**.

House File 2437, by committee on Local Government, a bill for an act relating to the notation of discharges of motor vehicle security interests.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 2037, by Edler, a bill for an act relating to the minimum standard of transparency for motor vehicle window tint, providing penalties, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

Senate File 2113, by committee on Education, a bill for an act providing for school employee training relating to suicide awareness and prevention.

Read first time and referred to committee on **Education**.

Senate File 2114, by committee on Education, a bill for an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

Read first time and referred to committee on **Education**.

Senate File 2131, by committee on Education, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees.

Read first time and **passed on file**.

Senate File 2135, by committee on Judiciary, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness.

Read first time and **passed on file**.

Senate File 2155, by committee on State Government, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

Read first time and referred to committee on **State Government**.

Senate File 2175, by committee on Judiciary, a bill for an act relating to partition of property in kind and partition of property by sale.

Read first time and referred to committee on **Judiciary**.

Senate File 2177, by committee on Commerce, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

Read first time and **passed on file**.

Senate File 2200, by committee on Veterans Affairs, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

Read first time and **passed on file**.

On motion by Hagenow of Polk, the House was recessed at 8:49 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:09 p.m., Wills of Dickinson in the chair.

INTRODUCTION OF BILLS

House File 2438, by committee on Education, a bill for an act relating to the collection of sales tax for deposit in the secure an advanced vision for education fund and to the use of tax revenue from the secure an advanced vision for education fund.

Read first time and referred to committee on **Ways and Means**.

House File 2439, by committee on State Government, a bill for an act relating to horse racing regulated by the racing and gaming commission.

Read first time and placed on the **calendar**.

House File 2440, by committee on Agriculture, a bill for an act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2441, by committee on Education, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

House File 2442, by committee on Education, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2443, by committee on Judiciary, a bill for an act relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records.

Read first time and placed on the **calendar**.

House File 2444, by committee on Human Resources, a bill for an act relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care.

Read first time and placed on the **calendar**.

House File 2445, by committee on Human Resources, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services.

Read first time and placed on the **calendar**.

House File 2446, by committee on Commerce, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

Read first time and placed on the **calendar**.

House File 2447, by Grassley, Best, Pettengill, Maxwell, Klein, Heaton, Sexton, McKean, Fisher, Holt, Gassman, Vander Linden, Jones, Bloomingdale, Worthan, Hein, Dolecheck, Wills, Fry, Sheets, Moore, Wheeler, Baxter, Heartsill, and Kerr, a bill for an act requiring that a certain portion of the tax incentives and financial assistance provided under the high quality jobs program administered by the economic development authority be provided to projects located in small cities, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2448, by committee on State Government, a bill for an act relating to the conduct of sports betting by gambling licensees, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2449, by committee on Human Resources, a bill for an act relating to the substitute decision maker Act.

Read first time and placed on the **calendar**.

House File 2450, by committee on Judiciary, a bill for an act relating to DNA profiling of certain criminal offenders.

Read first time and placed on the **calendar**.

House File 2451, by committee on Human Resources, a bill for an act relating to the programs and services under the purview of the department on aging.

Read first time and placed on the **calendar**.

House File 2452, by committee on Judiciary, a bill for an act relating to the expungement of simple misdemeanor offenses.

Read first time and placed on the **calendar**.

House File 2453, by committee on Human Resources, a bill for an act relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

Read first time and placed on the **calendar**.

House File 2454, by committee on Local Government, a bill for an act establishing a process for voter approval of a proposition to require a township to provide emergency medical service.

Read first time and placed on the **calendar**.

House File 2455, by committee on Commerce, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers.

Read first time and placed on the **calendar**.

House File 2456, by committee on Human Resources, a bill for an act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services.

Read first time and placed on the **calendar**.

House File 2457, by committee on Judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

Read first time and placed on the **calendar**.

House File 2458, by committee on Commerce, a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

Read first time and placed on the **calendar**.

CONSIDERATION OF BILLS
Regular Calendar

House File 2232, a bill for an act relating to mortgage releases, was taken up for consideration.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2232)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck

Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2172, a bill for an act prohibiting pyramid promotional schemes and making penalties applicable, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2172)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.

Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2193, a bill for an act establishing a text messaging notification and payment system for certain citations and informations, was taken up for consideration.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2193)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Umpmeyer, Spkr.

Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2195, a bill for an act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions, was taken up for consideration.

Mohr of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2195)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Umpmeyer, Spkr.

Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2196, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable, was taken up for consideration.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2196)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman

Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2200, a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2200)

The ayes were, 93:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cphoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.

Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Worthan	Zumbach
Wills, Presiding			

The nays were, 5:

Anderson	Meyer	Oldson	Smith, M.
Wolfe			

Absent or not voting, 2:

Gaines	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2236, a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies, was taken up for consideration.

Staed of Linn asked and received unanimous consent to withdraw amendment H-8058 filed by him on February 20, 2018, placing out of order amendment H-8066 filed by Staed of Linn from the floor.

Bennett of Linn offered amendment H-8059 filed by her.

Pettengill of Benton rose on a point of order that amendment H-8059 was not germane.

The Speaker ruled the point well taken and amendment H-8059 not germane.

Running-Marquardt of Linn asked and received unanimous consent to withdraw amendment H-8061 filed by her on February 20, 2018.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2236)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2237, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2237)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2238, a bill for an act relating to the receipt of pecuniary damages by insurers as victims for purposes of criminal restitution, was taken up for consideration.

Pettengill of Benton offered amendment H-8049 filed by her and moved its adoption.

Amendment H-8049 was adopted.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2238)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2240, a bill for an act permitting employers to provide employees with wage statements by electronic means, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2240)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2256, a bill for an act relating to the submission of certain reports by the department of transportation and county engineers, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2256)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2305, a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions, was taken up for consideration.

Forbes of Polk offered amendment H-8060 filed by him.

The House stood at ease at 3:14 p.m., until the fall of the gavel.

The House resumed session at 3:40 p.m., Wills of Dickinson in the chair.

Hagenow of Polk asked and received unanimous consent that House File 2305 be deferred and that the bill retain its place on the calendar.

House File 2309, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility, was taken up for consideration.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2309)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.

Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Wills, Presiding		

The nays were, none.

Absent or not voting, 2:

Gaines Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2172, 2193, 2195, 2196, 2200, 2232, 2236, 2237, 2238, 2240, 2256 and 2309.**

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2019, 2020, 2079 and 2156 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Gaines of Polk Miller, H. of Webster

SPONSORS ADDED

House Resolution 104 — Gaines of Polk
Gaskill of Wapello
Hunter of Polk

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 672

Ways and Means: Baltimore, Chair; Kearns and Rizer.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2004), amending the definition of small city for purposes of eligibility under the workforce housing tax incentives program, including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 21, 2018.

Committee Bill (Formerly House File 2192), relating to the level of fees imposed pursuant to the land recycling program.

Fiscal Note: **No**

Recommendation: **Do Pass** February 21, 2018.

RESOLUTION FILED

H.R. 104, by M. Smith, Hagenow, Sheets, Steckman, Salmon, Ourth, McKean, Kearns, Bacon, P. Miller, Sieck, Anderson, R. Taylor, Kacena, Hager, Hunter, Maxwell, Mascher, Heartsill, Thede, Gassman, Kurth, Mommsen, Meyer, Watts, Wessel-Kroeschell, Lundgren, Lensing, Baudler, Winckler, Holt, Cohoon, Kaufmann, T. Taylor, Rogers, Bearinger, Deyoe, Breckenridge, Worthan, Oldson, Landon, Wolfe, Vander Linden, R. Smith, Wheeler, Nielsen, Carlson, Kressig, Bergan, Jacoby, Staed, Forbes, McConkey, Brown-Powers, Olson, Heddens, Prichard, Running-Marquardt, Abdul-Samad, and Finkenauer, a resolution honoring and commemorating the city of Buxton.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8062 H.J.R. 2009 Mascher of Johnson

H-8063	H.J.R.	2009	Mascher of Johnson
H-8064	H.F.	2355	Salmon of Black Hawk
H-8065	H.F.	2300	Bossmann of Woodbury
H-8066	H.F.	2236	Staed of Linn
H-8067	H.F.	2400	Olson of Polk
H-8068	H.F.	2400	Olson of Polk
H-8069	H.F.	2320	Gustafson of Madison
H-8070	H.F.	2343	Olson of Polk
H-8071	H.F.	2356	Winckler of Scott
H-8072	H.F.	2356	Heddens of Story Anderson of Polk
H-8073	H.F.	2356	Heddens of Story Anderson of Polk
H-8074	H.F.	2391	Fisher of Tama
H-8075	H.F.	2356	Heddens of Story Anderson of Polk
H-8076	S.F.	2131	Hunter of Polk
H-8077	S.F.	2131	Mascher of Johnson
H-8078	S.F.	2131	Mascher of Johnson
H-8079	S.F.	2131	Mascher of Johnson
H-8080	S.F.	2131	Mascher of Johnson
H-8081	S.F.	2131	Mascher of Johnson
H-8082	H.F.	2351	Sexton of Calhoun

On motion by Hagenow of Polk, the House adjourned at 3:48 p.m., until 8:30 a.m., Thursday, February 22, 2018.

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 22, 2018

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Dick Kaiser, Calvary Assembly of God Church, Dexter. He was the guest of Hager of Allamakee.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Josie and Sidney Arnold from Adel. They are the granddaughters of Watts of Dallas.

The Journal of Wednesday, February 21, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 21, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2169, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Also: That the Senate has on February 21, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2229, a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

Also: That the Senate has on February 21, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2235, a bill for an act relating to criminal acts committed on or against critical infrastructure and providing penalties.

Also: That the Senate has on February 21, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2256, a bill for an act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

Also: That the Senate has on February 21, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2262, a bill for an act relating to final-stage motor vehicle manufacturers.

Also: That the Senate has on February 21, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2306, a bill for an act concerning the notification by the ethics and campaign disclosure board of certain candidates that an amended disclosure report has been filed by another candidate.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2459, by Kressig, a bill for an act exempting from the state sales tax the purchase price of tangible personal property sold to a nonprofit food bank.

Read first time and referred to committee on **Ways and Means**.

House File 2460, by committee on State Government, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Read first time and placed on the **calendar**.

House File 2461, by committee on Judiciary, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2462, by committee on Human Resources, a bill for an act relating to programs and activities under the purview of the department of human services.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 2137, by committee on Education, a bill for an act relating to school bus route ride time limitations.

Read first time and referred to committee on **Education**.

Senate File 2235, by committee on Judiciary, a bill for an act relating to criminal acts committed on or against critical infrastructure and providing penalties.

Read first time and **passed on file**.

Senate File 2274, by committee on Education, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

Read first time and referred to committee on **Education**.

Senate File 2289, by committee on State Government, a bill for an act relating to the joint exercise of government powers by federally recognized Indian tribes.

Read first time and **passed on file**.

ADOPTION OF HOUSE RESOLUTION 104

Hagenow of Polk called up for consideration **House Resolution 104**, a resolution honoring and commemorating the city of Buxton.

Sheets of Appanoose moved House Resolution 104.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:51 a.m., until the fall of the gavel.

The House resumed session at 10:10 a.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS
Regular Calendar

House File 2171, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing, was taken up for consideration.

Lundgren of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2171)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Watts
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2255, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties, was taken up for consideration.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2255)

The ayes were, 85:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bergan	Best
Bloomington	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Forbes	Fry
Gaines	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lundgren	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Staed	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 10:

Anderson	Bennett	Gaskill	Isenhart
Lensing	Mascher	Smith, R.	Steckman
Winckler	Wolfe		

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2300, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations and including effective date provisions, was taken up for consideration.

Bossman of Woodbury offered amendment H-8065 filed by him and moved its adoption.

Amendment H-8065 was adopted.

Bossman of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2300)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Watts
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2348, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending amendment and passage, was taken up for consideration.

Paustian of Scott offered amendment H-8011 filed by the committee on Judiciary and moved its adoption.

The committee amendment H-8011 was adopted.

Paustian of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2348)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isehart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Watts

Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2351, a bill for an act relating to continuation of health care coverage for certain surviving spouses and children of peace officers killed in the line of duty, and including effective date and retroactive applicability provisions, was taken up for consideration.

Sexton of Calhoun asked and received unanimous consent to withdraw amendment H-8082 filed by him on February 21, 2018.

Holt of Crawford rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2351)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Ishart	Jacobsen	Jacoby

Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Watts
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2356, a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time, was taken up for consideration.

Winckler of Scott offered amendment H-8071 filed by her.

Winckler of Scott offered amendment H-8084, to amendment H-8071, filed by her from the floor and moved its adoption.

Amendment H-8084, to amendment H-8071, was adopted.

Winckler of Scott moved the adoption of amendment H-8071, as amended.

Roll call was requested by Winckler of Scott and Abdul-Samad of Polk.

On the question "Shall amendment H-8071, as amended, be adopted?" (H.F. 2356)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

Amendment H-8071, as amended, lost.

Heddens of Story offered amendment H-8072 filed by her and Anderson of Polk.

Heaton of Henry rose on a point of order that amendment H-8072 was not germane.

The Speaker ruled the point well taken and amendment H-8072 not germane.

Heddens of Story asked for unanimous consent to suspend the rules to consider amendment H-8072.

Objection was raised.

Heddens of Story moved to suspend the rules to consider amendment H-8072.

Roll call was requested by Heddens of Story and Olson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8072?" (H.F. 2356)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The motion to suspend the rules lost.

Heddens of Story offered amendment H-8073 filed by her and Anderson of Polk.

Heaton of Henry rose on a point of order that amendment H-8073 was not germane.

The Speaker ruled the point well taken and amendment H-8073 not germane.

Heddens of Story asked for unanimous consent to suspend the rules to consider amendment H-8073.

Objection was raised.

Heddens of Story moved to suspend the rules to consider amendment H-8073.

Roll call was requested by Heddens of Story and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8073?" (H.F. 2356)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossmann
Carlson	Cownie	Deyoe	Dolecheck
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell

McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The motion to suspend the rules lost.

Heddens of Story offered amendment H-8075 filed by her and Anderson of Polk.

Heaton of Henry rose on a point of order that amendment H-8075 was not germane.

The Speaker ruled the point well taken and amendment H-8075 not germane.

Heddens of Story asked for unanimous consent to suspend the rules to consider amendment H-8075.

Objection was raised.

Heddens of Story moved to suspend the rules to consider amendment H-8075.

Roll call was requested by Heddens of Story and Bearinger of Fayette.

On the question "Shall the rules be suspended to consider amendment H-8075?" (H.F. 2356)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer

Miller, H.	Miller, P.	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The motion to suspend the rules lost.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2356)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer

Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Watts	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 1:

Isenhart

Absent or not voting, 5:

Fisher	Nielsen	Nunn	Vander Linden
Wessel-Kroeschell			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SPECIAL PRESENTATION

M. Smith of Marshall introduced to the House former legislator Wayne Ford.

The House rose and expressed its welcome.

House File 2379, a bill for an act relating to municipal utility retirement systems, was taken up for consideration.

Carlson of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2379)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Watts	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 6:

Fisher	Heddens	Nielsen	Nunn
Vander Linden	Wessel-Kroeschell		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2392, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications, was taken up for consideration.

Heartsill of Marion offered amendment H-8048 filed by him and moved its adoption.

Amendment H-8048 was adopted.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2392)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Watts	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 6:

Fisher	Heddens	Nielsen	Nunn
Vander Linden	Wessel-Kroeschell		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILLS

House File 2463, by committee on Ways and Means, a bill for an act amending the definition of small city for purposes of eligibility

under the workforce housing tax incentives program, including effective date and applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

House File 2464, by committee on Ways and Means, a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

Read first time and placed on the **Ways and Means calendar**.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2171, 2255, 2300, 2348, 2351, 2356, 2379 and 2392**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2049, 2091, 2094 and 2275 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Fisher of Tama	Heddens of Story
Nielsen of Johnson	Nunn of Polk
Vander Linden of Mahaska	Wessel-Kroeschell of Story

SENATE FILE 2113 REFERRED

The Speaker announced that Senate File 2113, previously referred to committee on **Education** was **passed on file**.

EXPLANATION OF VOTE

On February 21, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2172 – “aye”	House File 2193 – “aye”
House File 2195 – “aye”	House File 2196 – “aye”
House File 2200 – “aye”	House File 2232 – “aye”
House File 2236 – “aye”	House File 2237 – “aye”
House File 2238 – “aye”	House File 2240 – “aye”
House File 2256 – “aye”	House File 2309 – “aye”

Gaines of Polk

SUBCOMMITTEE ASSIGNMENTS

Senate File 2037

Transportation: R. Taylor, Chair; Jacoby and Wills.

Senate File 2067

Transportation: Bacon, Chair; Maxwell and Olson.

Senate File 2155

State Government: Bergan, Chair; Koester and Lensing.

Senate File 2257

Commerce: Wills, Chair; Holz and Kacena.

Senate File 2271

Transportation: Landon, Chair; Cohoon and Huseman.

AMENDMENTS FILED

H-8083	H.F.	2408	Isenhart of Dubuque
H-8084	H.F.	2356	Winckler of Scott
H-8085	H.F.	2280	R. Smith of Black Hawk
H-8086	S.F.	2131	Breckenridge of Jasper
H-8087	S.F.	2131	Winckler of Scott
H-8088	H.F.	2308	Best of Carroll

H-8089	H.F.	2394	Worthan of Buena Vista
H-8090	S.F.	2131	Mascher of Johnson
H-8091	H.F.	2377	Lundgren of Dubuque

On motion by Hagenow of Polk, the House adjourned at 12:32 p.m., until 10:30 a.m., Friday, February 23, 2018.

JOURNAL OF THE HOUSE

Forty-seventh Calendar Day - Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 23, 2018

The House met pursuant to adjournment at 10:31 a.m., Hagenow of Polk in the chair.

Prayer was offered by Hagenow of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Myliha, Shilyn, Nevaeh and Hank Terrell. They were the guests of Hagenow of Polk.

The Journal of Thursday, February 22, 2018, was approved.

INTRODUCTION OF BILL

House File 2465, by committee on Local Government, a bill for an act creating a law enforcement body camera interim workgroup.

Read first time and referred to committee on **Judiciary**.

SENATE MESSAGES CONSIDERED

Senate File 2169, by committee on Commerce, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Read first time and **passed on file**.

Senate File 2229, by committee on Judiciary, a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

Read first time and referred to committee on **Judiciary**.

Senate File 2256, by committee on State Government, a bill for an act relating to campaign finance, including electronic filing

requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

Read first time and referred to committee on **State Government**.

Senate File 2262, by committee on Commerce, a bill for an act relating to final-stage motor vehicle manufacturers.

Read first time and **passed on file**.

Senate File 2306, by committee on State Government, a bill for an act concerning the notification by the ethics and campaign disclosure board of certain candidates that an amended disclosure report has been filed by another candidate.

Read first time and referred to committee on **State Government**.

AMENDMENTS FILED

H-8092	H.F.	2440	Isenhart of Dubuque
H-8093	H.F.	2377	Isenhart of Dubuque
H-8094	H.F.	2422	Isenhart of Dubuque
H-8095	H.F.	2422	Isenhart of Dubuque
H-8096	S.F.	2131	Winckler of Scott
H-8097	H.F.	2364	M. Smith of Marshall
H-8098	H.F.	2377	M. Smith of Marshall
H-8099	H.F.	2377	Heaton of Henry

On motion by Heaton of Henry, the House adjourned at 10:34 a.m., until 1:00 p.m., Monday, February 26, 2018.

JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 26, 2018

The House met pursuant to adjournment at 1:00 p.m., Hein of Jones in the chair.

Prayer was offered by Rajan Zed, President of Universal Society of Hinduism in Reno Nevada. He was the guest of Staed of Linn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Elisabeth Balke, Page from Maxwell.

The Journal of Friday, February 23, 2018, was approved.

On motion by Hagenow of Polk, the House was recessed at 1:13 p.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 5:47 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 2125, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision, was taken up for consideration.

Paustian of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2125)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2198, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal, was taken up for consideration.

SENATE FILE 2163 SUBSTITUTED FOR HOUSE FILE 2198

Maxwell of Poweshiek asked and received unanimous consent to substitute Senate File 2163 for House File 2198.

Senate File 2163, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal, was taken up for consideration.

Maxwell of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2163)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, 3:

Baudler	Highfill	Wheeler
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Absent or not voting, 2:

Kressig	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2254, a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions, was taken up for consideration.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2254)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKear
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2305, a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions, previously deferred, was taken up for consideration. (H-8060 pending)

Vander Linden of Mahaska offered amendment H-8103, to amendment H-8060, filed by him from the floor and moved its adoption.

Amendment H-8103, to amendment H-8060, was adopted.

Forbes of Polk moved the adoption of amendment H-8060, as amended.

Amendment H-8060, as amended, was adopted.

Vander Linden of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2305)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets

Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2377, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions, was taken up for consideration.

Lundgren of Dubuque offered amendment H-8091 filed by her.

Lundgren of Dubuque offered amendment H-8104, to amendment H-8091, filed by her from the floor and moved its adoption.

Amendment H-8104, to amendment H-8091, was adopted.

Lundgren of Dubuque moved the adoption of amendment H-8091, as amended.

Amendment H-8091, as amended, was adopted.

Isenhart of Dubuque offered amendment H-8093 filed by him.

Lundgren of Dubuque rose on a point of order that amendment H-8093 was not germane.

The Speaker ruled the point well taken and amendment H-8093 not germane.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8093.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8093.

Roll call was requested by Isenhart of Dubuque and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8093?" (H.F. 2377)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 2:

Kressig	Taylor, R.
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The motion to suspend the rules lost.

Heaton of Henry offered amendment H-8099 filed by him.

Heaton of Henry offered amendment H–8100, to amendment H–8099, filed by him from the floor and moved its adoption.

Amendment H–8100, to amendment H–8099, was adopted.

Heaton of Henry moved the adoption of amendment H–8099, as amended.

Amendment H–8099, as amended, was adopted.

M. Smith of Marshall asked and received unanimous consent to withdraw amendment H–8098 filed by him on February 23, 2018.

Lundgren of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2377)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2381, a bill for an act relating to the disposition of a child found to have committed a delinquent act, was taken up for consideration.

Bossman of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2381)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kressig

Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2407, a bill for an act relating to the application of pesticides into lakes, and providing penalties, was taken up for consideration.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2407)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2408, a bill for an act regulating the sale of eggs by grocery stores participating in a federal program, was taken up for consideration.

Isenhart of Dubuque offered amendment H-8083 filed by him and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Steckman of Cerro Gordo.

On the question "Shall amendment H-8083 be adopted?" (H.F. 2408)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton

Sheets	Sieck	Smith, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 2:

Kressig	Taylor, R.
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Amendment H-8083 lost.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2408)

The ayes were, 81:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bergan
Best	Bloomingtondale	Bossman	Brown-Powers
Carlson	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Isenhart	Jacobsen	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lundgren	Maxwell	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 17:

Bennett	Breckenridge	Cohoon	Heddens
Hunter	Jacoby	Lensing	Mascher
McConkey	Olson	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2417, a bill for an act relating to allowable forms for payment for amusement concessions at a fair, was taken up for consideration.

Bacon of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2417)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kressig

Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2422, a bill for an act providing for the management of weeds, including noxious weeds, and making penalties applicable, was taken up for consideration.

Isenhart of Dubuque offered amendment H-8094 filed by him.

Zumbach of Linn rose on a point of order that amendment H-8094 was not germane.

The Speaker ruled the point well taken and amendment H-8094 not germane.

Isenhart of Dubuque offered amendment H-8095 filed by him.

Zumbach of Linn rose on a point of order that amendment H-8095 was not germane.

The Speaker ruled the point well taken and amendment H-8095 not germane.

Zumbach of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2422)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein

Highfill	Hinson	Holt	Holz
Hunter	Huseman	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 2:

Isenhart Smith, R.

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2440, a bill for an act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions, was taken up for consideration.

Isenhart of Dubuque offered amendment H-8092 filed by him.

Wills of Dickinson rose on a point of order that amendment H-8092 was not germane.

The Speaker ruled the point not well taken and amendment H-8092 germane.

Isenhart of Dubuque moved the adoption of amendment H-8092.

Roll call was requested by Isenhart of Dubuque and Abdul-Samad of Polk.

On the question "Shall amendment H-8092 be adopted?" (H.F. 2440)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 2:

Kressig Taylor, R.

Amendment H-8092 lost.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2440)

The ayes were, 67:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingdale
Bossman	Breckenridge	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nunn
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Smith, M.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 31:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Finkenauer	Hall	Heddens
Highfill	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Nielsen
Oldson	Olson	Running-Marquardt	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 2:

Kressig	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2125, 2254, 2305, 2377, 2381, 2407, 2408, 2417, 2422, 2440** and **Senate File 2163**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2198, 2260 and 2299 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Kressig of Black Hawk

Taylor, R. of Dallas

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2175, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

Also: That the Senate has on February 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2197, a bill for an act relating to the administration of driving skills tests required for a commercial driver's license.

Also: That the Senate has on February 26, 2018, receded from the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2230, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

Also: That the Senate has on February 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2240, a bill for an act permitting employers to provide employees with wage statements by electronic means.

Also: That the Senate has on February 26, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 455, a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs and including effective date provisions.

Also: That the Senate has on February 26, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2228, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

Also: That the Senate has on February 26, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2334, a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

W. CHARLES SMITHSON, Secretary

EXPLANATION OF VOTE

On February 22, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2379 – “aye”

House File 2392 – “aye”

Heddens of Story

SUBCOMMITTEE ASSIGNMENTS

Senate File 2114

Education: Bossman, Chair; Breckenridge and Jacobsen.

Senate File 2137

Education: Wheeler, Chair; Gassman and P. Miller.

Senate File 2256

State Government: Cownie, Chair; Kaufmann and Winckler.

Senate File 2274

Education: Moore, Chair; Jones and Staed.

Senate File 2306

State Government: Koester, Chair; Hein and Hunter.

AMENDMENTS FILED

H-8100	H.F.	2377	Heaton of Henry
H-8101	H.J.R.	2009	Mascher of Johnson
H-8102	H.F.	2456	Lundgren of Dubuque
H-8103	H.F.	2305	Vander Linden of Mahaska
H-8104	H.F.	2377	Lundgren of Dubuque
H-8105	H.J.R.	2009	Mascher of Johnson
H-8106	H.F.	2402	Jones of Clay
H-8107	H.F.	2314	Windschitl of Harrison
H-8108	S.F.	2235	Worthan of Buena Vista
H-8109	H.F.	2233	McKean of Jones
H-8110	H.F.	2450	Rizer of Linn
H-8111	S.F.	475	Salmon of Black Hawk
			Heartsill of Marion
			Fisher of Tama
			Hager of Allamakee
			Gassman of Winnebago
			Sheets of Appanoose
			Jacobsen of Pottawattamie
H-8112	H.F.	2399	Mascher of Johnson
H-8113	S.F.	2131	Winckler of Scott
H-8114	H.F.	2405	Wessel-Kroeschell of Story
H-8115	H.F.	2405	Wessel-Kroeschell of Story
H-8116	H.F.	2372	Carlson of Muscatine
H-8117	H.F.	2456	Staed of Linn
H-8118	H.F.	2456	Isenhardt of Dubuque
H-8119	H.F.	2343	Rizer of Linn
H-8120	S.F.	2131	Salmon of Black Hawk
H-8121	H.F.	2456	Lundgren of Dubuque
H-8122	S.F.	2131	Winckler of Scott
H-8123	H.F.	2364	Bennett of Linn
H-8124	H.F.	2364	Jacoby of Johnson
H-8125	H.F.	2364	Nielsen of Johnson
H-8126	H.F.	2364	Hall of Woodbury
H-8127	H.F.	2364	Oldson of Polk
H-8128	H.F.	2364	Oldson of Polk
H-8129	S.F.	2131	R. Smith of Black Hawk
H-8130	S.F.	2131	Winckler of Scott

H-8131 S.F. 2131 Mascher of Johnson

On motion by Hagenow of Polk, the House adjourned at 8:22 p.m., until 8:30 a.m., Tuesday, February 27, 2018.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day - Thirty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 27, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Bishop R. Walker Nickless, Diocese of Sioux City. He was the guest of Bossman of Woodbury, Hall of Woodbury and Kacena of Woodbury.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Braden Bean, Page from Atlantic.

The Journal of Monday, February 26, 2018, was approved.

INTRODUCTION OF BILLS

House File 2466, by committee on Natural Resources, a bill for an act relating to the management of the spread of diseases in wild animals, making penalties applicable, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2467, by committee on Education, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 2228, by committee on Human Resources, a bill for an act providing for the licensure of genetic counselors, making

penalties applicable, and including effective date and implementation provisions.

Read first time and referred to committee on **Human Resources**.

Senate File 2334, by committee on State Government, a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

Read first time and referred to committee on **Human Resources**.

SPECIAL PRESENTATION

Hein of Jones introduced to the House former legislator Annette Sweeney.

The House rose and expressed its welcome.

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 11:17 a.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 2233, a bill for an act relating to mechanics' liens and public construction liens, was taken up for consideration.

McKean of Jones offered amendment H-8109 filed by him and moved its adoption.

Amendment H-8109 was adopted.

McKean of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2233)

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Speaker			
Upmeyer			

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

Kressig	Nunn	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2343, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation, was taken up for consideration.

Rizer of Linn offered amendment H-8119 filed by him and moved its adoption.

Amendment H-8119 was adopted.

Olson of Polk asked and received unanimous consent to withdraw amendment H-8070 filed by him on February 21, 2018.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2343)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Speaker	
		Upmeyer	

The nays were, 2:

Bennett Kacena

Absent or not voting, 3:

Kressig Nunn Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2355, a bill for an act establishing a veterans recovery pilot program and fund for the reimbursement of expenses related to providing hyperbaric oxygen treatment to eligible veterans, was taken up for consideration.

Prichard of Floyd offered amendment H-8041 filed by him and moved its adoption.

Roll call was requested by Prichard of Floyd and Kacena of Woodbury.

On the question "Shall amendment H-8041 be adopted?" (H.F. 2355)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kaufmann	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Zumbach	Speaker		
	Upmeyer		

Absent or not voting, 2:

Kressig	Taylor, R.
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Amendment H-8041 lost.

Salmon of Black Hawk offered amendment H-8064 filed by her and moved its adoption.

Amendment H-8064 was adopted.

Salmon of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2355)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Baudler	Kressig	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2402, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney, was taken up for consideration.

Jones of Clay offered amendment H-8106 filed by her and moved its adoption.

Amendment H-8106 was adopted.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2402)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Baudler Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2456, a bill for an act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services, was taken up for consideration.

Staed of Linn asked and received unanimous consent to withdraw amendment H-8117 filed by him on February 26, 2018.

Lundgren of Dubuque offered amendment H-8102 filed by her.

Lundgren of Dubuque offered amendment H-8121, to amendment H-8102, filed by her and moved its adoption.

Amendment H-8121, to amendment H-8102, was adopted.

Lundgren of Dubuque moved the adoption of amendment H-8102, as amended.

Amendment H-8102, as amended, was adopted.

Isenhardt of Dubuque asked and received unanimous consent to withdraw amendment H-8118 filed by him on February 26, 2018.

Lundgren of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2456)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett

Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Kressig Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2233, 2343, 2355, 2402 and 2456.**

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2298, a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2323, a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2378, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2378, by committee on Judiciary, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions.

Read first time and **passed on file**.

On motion by Hagenow of Polk, the House was recessed at 12:22 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:13 p.m., Holt of Crawford in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 27, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2417, a bill for an act relating to allowable forms for payment for amusement concessions at a fair.

Also: That the Senate has on February 27, 2018, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 2007, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2148, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2230, a bill for an act relating to kidnapping in the second degree, and providing penalties.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2272, a bill for an act relating to community college accreditation.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2333, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2347, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

Also: That the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2356, a bill for an act relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

Also: That the Senate has on March 8, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2375, a bill for an act modifying the periods of time to bring criminal actions for sexual abuse offenses against a minor, providing penalties, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 2457, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier

omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2457)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Holt,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Kressig

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2461, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions, was taken up for consideration.

SENATE FILE 2378 SUBSTITUTED FOR HOUSE FILE 2461

Koester of Polk asked and received unanimous consent to substitute Senate File 2378 for House File 2461.

Senate File 2378, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2378)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worhan
Zumbach	Holt, Presiding		

The nays were, none.

Absent or not voting, 2:

Baudler Kressig

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2405, a bill for an act prohibiting a cause of action for wrongful birth or wrongful life, and including effective date and applicability provisions, was taken up for consideration.

Wessel-Kroeschell of Story offered amendment H-8114 filed by her.

Wessel-Kroeschell of Story offered amendment H-8140, to amendment H-8114, filed by her from the floor and moved its adoption.

Amendment H-8140, to amendment H-8114, was adopted.

Wessel-Kroeschell of Story moved the adoption of amendment H-8114, as amended.

Amendment H-8114, as amended, was adopted.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment H-8115 filed by her on February 26, 2018.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2405)

The ayes were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell

McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Windschitl
Worthan	Zumbach	Holt, Presiding	

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 1:

Kressig

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Upmeyer in the chair at 4:47 p.m.

House File 2367, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, was taken up for consideration.

Salmon of Black Hawk asked for unanimous consent to substitute Senate File 2131 for House File 2367.

Mascher of Johnson rose on a point of order.

The Speaker resolved the point of order.

SENATE FILE 2131 SUBSTITUTED FOR HOUSE FILE 2367

Salmon of Black Hawk asked and received unanimous consent to substitute Senate File 2131 for House File 2367, placing out of order amendment H-8052 filed by Mascher of Johnson on February 20, 2018.

Senate File 2131, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, was taken up for consideration.

Mascher of Johnson asked and received unanimous consent that amendment H-8081 be deferred.

Winckler of Scott asked and received unanimous consent that amendment H-8087 be deferred.

Winckler of Scott offered amendment H-8113 filed by her.

Staed of Linn offered amendment H-8136, to amendment H-8113, filed by him from the floor.

Windschitl of Harrison rose on a point of order that amendment H-8136 was not germane, to amendment H-8113.

The Speaker ruled the point well taken and amendment H-8136 not germane, to amendment H-8113.

Staed of Linn asked for unanimous consent to suspend the rules to consider amendment H-8136, to amendment H-8113.

Objection was raised.

Staed of Linn moved to suspend the rules to consider amendment H-8136, to amendment H-8113.

Roll call was requested by Staed of Linn and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8136, to amendment H-8113?" (S.F. 2131)

The ayes were, 39:

Abdul-Samad	Anderson	Bennett	Breckenridge
Brown-Powers	Cohon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.

Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 60:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossmann	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Vander Linden	Watts	Wheeler	Wills
Windschitl	Worthan	Zumbach	Speaker
			Upmeyer

Absent or not voting, 1:

Kressig

The motion to suspend the rules lost.

Salmon of Black Hawk rose on a point of order that amendment H-8113 was not germane.

The Speaker ruled the point well taken and amendment H-8113 not germane.

Winckler of Scott asked for unanimous consent to suspend the rules to consider amendment H-8113.

Objection was raised.

Winckler of Scott moved to suspend the rules to consider amendment H-8113.

Roll call was requested by Winckler of Scott and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8113?" (S.F. 2131)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Zumbach	Speaker Upmeyer		

Absent or not voting, 2:

Baudler	Kressig
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The motion to suspend the rules lost.

Breckenridge of Jasper offered amendment H-8086 filed by him.

Salmon of Black Hawk rose on a point of order that amendment H-8086 was not germane.

The Speaker ruled the point well taken and amendment H-8086 not germane.

Windschitl of Harrison in the chair at 5:26 p.m.

Mascher of Johnson offered amendment H-8090 filed by her.

Salmon of Black Hawk rose on a point of order that amendment H-8090 was not germane.

The Speaker ruled the point well taken and amendment H-8090 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8090.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8090.

Roll call was requested by Mascher of Johnson and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8090?" (S.F. 2131)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr

Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 1:

Kressig

The motion to suspend the rules lost.

Mascher of Johnson offered amendment H-8078 filed by her and moved its adoption.

Roll call was requested by Mascher of Johnson and Abdul-Samad of Polk.

On the question "Shall amendment H-8078 be adopted?" (S.F. 2131)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 57:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers

Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 3:

Baudler	Hanusa	Kressig
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Amendment H-8078 lost.

Mascher of Johnson offered amendment H-8079 filed by her.

Salmon of Black Hawk rose on a point of order that amendment H-8079 was not germane.

The Speaker ruled the point well taken and amendment H-8079 not germane.

Winckler of Scott offered amendment H-8130 filed by her.

Salmon of Black Hawk rose on a point of order that amendment H-8130 was not germane.

The Speaker ruled the point well taken and amendment H-8130 not germane.

Winckler of Scott asked for unanimous consent to suspend the rules to consider amendment H-8130.

Objection was raised.

Winckler of Scott moved to suspend the rules to consider amendment H-8130.

Roll call was requested by Winckler of Scott and Steckman of Cerro Gordo.

On the question ""Shall the rules be suspended to consider amendment H-8130?" (S.F. 2131)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 2:

Hanusa	Kressig
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The motion to suspend the rules lost.

Mascher of Johnson offered amendment H-8131 filed by her and moved its adoption.

Amendment H-8131 lost.

Mascher of Johnson offered amendment H-8080 filed by her.

Salmon of Black Hawk rose on a point of order that amendment H-8080 was not germane.

The Speaker ruled the point well taken and amendment H-8080 not germane.

R. Smith of Black Hawk offered amendment H-8129 filed by him.

R. Smith of Black Hawk offered amendment H-8134, to amendment H-8129, filed by him from the floor and moved its adoption.

Amendment H-8134, to amendment H-8129, was adopted.

Salmon of Black Hawk rose on a point of order that amendment H-8129, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-8129, as amended, not germane.

Mascher of Johnson offered amendment H-8077 filed by her and moved its adoption.

Amendment H-8077 was adopted.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8096 filed by her on February 23, 2018, placing out of order amendment H-8122, to amendment H-8096, filed by her on February 26, 2018.

Hunter of Polk offered amendment H-8076 filed by him.

Salmon of Black Hawk rose on a point of order that amendment H-8076 was not germane.

The Speaker ruled the point well taken and amendment H-8076 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8076.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8076.

Roll call was requested by Hunter of Polk and Mascher of Johnson.

On the question "Shall the rules be suspended to consider amendment H-8076?" (S.F. 2131)

The ayes were, 42:

Abdul-Samad	Anderson	Baudler	Bearinger
Bennett	Breckenridge	Brown-Powers	Cohoon
Cownie	Finkenauer	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kurth	Lensing	Mascher	McConkey
Meyer	Miller, H.	Miller, P.	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 56:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 2:

Hanusa	Kressig
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The motion to suspend the rules lost.

Salmon of Black Hawk offered amendment H-8120 filed by her.

Winckler of Scott offered amendment H-8133, to amendment H-8120, filed by her from the floor and moved its adoption.

Amendment H-8133, to amendment H-8120, lost.

Mascher of Johnson offered amendment H-8132, to amendment H-8120, filed by her from the floor and moved its adoption.

Amendment H-8132, to amendment H-8120, lost.

Salmon of Black Hawk moved the adoption of amendment H-8120.

Roll call was requested by Mascher of Johnson and Hunter of Polk.

On the question "Shall amendment H-8120 be adopted?" (S.F. 2131)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Hanusa

Kressig

Amendment H-8120 was adopted.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8081, filed by her on February 21, 2018, previously deferred.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8087, filed by her on February 22, 2018, previously deferred.

Holt of Crawford rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Hunter of Polk rose on a point of order.

Hunter of Polk withdrew his point of order.

Salmon of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2131)

The ayes were, 60:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Isenhardt	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Jacoby	Kacena
Kearns	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 1:

Kressig

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 2007, by committee on Judiciary, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

Read first time and **passed on file**.

Senate File 2148, by committee on Judiciary, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

Read first time and **passed on file**.

Senate File 2230, by committee on Judiciary, a bill for an act relating to kidnapping in the second degree, and providing penalties.

Read first time and **passed on file**.

Senate File 2272, by committee on Education, a bill for an act relating to community college accreditation.

Read first time and referred to committee on **Education**.

Senate File 2298, by committee on Human Resources, a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

Read first time and referred to committee on **Human Resources**.

Senate File 2323, by committee on State Government, a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Read first time and referred to committee on **State Government**.

Senate File 2333, by committee on State Government, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions.

Read first time and **passed on file**.

Senate File 2347, by committee on State Government, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

Read first time and referred to committee on **State Government**.

Senate File 2356, by committee on Judiciary, a bill for an act relating to sexually violent predators, the accumulation of earned time by offenders, and providing penalties.

Read first time and **passed on file**.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2405, 2457** and **Senate Files 2131** and **2378**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2045, 2105, 2327, 2367 and 2461 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanusa of Pottawattamie
Taylor, R. of Dallas

Kressig of Black Hawk

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2305, a bill for an act relating to workers' compensation and insurance fraud and other prohibited health service provider practices, providing penalties, and including effective date and applicability provisions.

W. CHARLES SMITHSON, Secretary

EXPLANATIONS OF VOTE

On February 27, 2018, I inadvertently voted "nay" on amendment H-8136 (S.F. 2131), I meant to vote "aye".

Bearinger of Fayette

On February 27, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2233 – "aye"

House File 2343 – "aye"

Amendment H-8041 (H.F. 2355) – "nay"

House File 2355 – "aye"

House File 2402 – "aye"

House File 2456 – "aye"

R. Taylor of Dallas

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 673 Ways and Means

Amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction.

H.S.B. 674 Government Oversight

Relating to governmental ethics and the regulation of lobbyists and gifts.

H.S.B. 675 Government Oversight

Relating to disclosures of information to the auditor of state.

H.S.B. 676 Government Oversight

Relating to state agency authority relating to purchasing procedures and executive branch employee travel claims.

H.S.B. 677 Government Oversight

Regarding direct purchasing from vendors by agencies and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2346

Appropriations: Worthan, Chair; Brown-Powers and Highfill.

House File 2465

Judiciary: Baltimore, Chair; Bossman and Wolfe.

Senate File 2175

Judiciary: Rizer, Chair; Hein and Meyer.

Senate File 2229

Judiciary: Koester, Chair; Paustian and R. Smith.

Senate File 2256 Reassigned

State Government: Kaufman, Chair; Cownie and Winckler.

AMENDMENTS FILED

H-8132	S.F.	2131	Mascher of Johnson
H-8133	S.F.	2131	Winckler of Scott
H-8134	S.F.	2131	R. Smith of Black Hawk
H-8135	H.F.	2406	Dolecheck of Ringgold
H-8136	S.F.	2131	Staed of Linn
H-8137	H.F.	2130	Koester of Polk
H-8138	H.J.R.	2009	Hunter of Polk
H-8139	H.F.	2321	Hanusa of Pottawattamie
H-8140	H.F.	2405	Wessel-Kroeschell of Story
H-8141	H.F.	2423	Nunn of Polk

On motion by Hagenow of Polk, the House adjourned at 7:16 p.m., until 8:30 a.m., Wednesday, February 28, 2018.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 28, 2018

The House met pursuant to adjournment at 8:30 a.m., Dolecheck of Ringgold in the chair.

Prayer was offered by Father Nils de Jesus Hernandez, Trinity Cluster, Monona. He was the guest of Hager of Allamakee.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Autumn Boettger, Page from Cambridge.

The Journal of Tuesday, February 27, 2018, was approved.

INTRODUCTION OF BILL

House File 2468, by committee on Judiciary, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

Read first time and referred to committee on **Agriculture**.

SENATE MESSAGE CONSIDERED

Senate File 2305, by committee on Commerce, a bill for an act relating to workers' compensation and insurance fraud and other prohibited health service provider practices, providing penalties, and including effective date and applicability provisions.

Read first time and referred to committee on **Commerce**.

On motion by Wills of Dickinson, the House was recessed at 8:41 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:07 p.m., Wills of Dickinson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2310, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Also: That the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2353, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

Also: That the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2373, a bill for an act relating to the criminal offense of child endangerment by prohibiting a sex offender access to a child or certain minors, and providing penalties.

W. CHARLES SMITHSON, Secretary

EXPLANATION OF VOTE

On February 26, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2125 – “aye”
House File 2417 – “aye”

House File 2254 – “aye”
Senate File 2163 – “aye”

R. Taylor of Dallas

SUBCOMMITTEE ASSIGNMENTS**House File 2418**

Ways and Means: Maxwell, Chair; Kaufmann and Kurth.

House File 2438

Ways and Means: Nunn, Chair; Isenhardt and Windschitl.

House File 2447

Ways and Means: Holt, Chair; Hein and McConkey.

House File 2448

Ways and Means: Vander Linden, Chair; Cownie and Kearns.

House File 2459

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

Senate File 2228

Human Resources: Holt, Chair; Heaton and Heddens.

Senate File 2272

Education: Hanusa, Chair; Breckenridge and Wheeler.

Senate File 2298

Human Resources: Moore, Chair; Dolecheck and Forbes.

Senate File 2323

State Government: Koester, Chair; Oldson and Zumbach.

Senate File 2334

Human Resources: Bergan, Chair; Brown-Powers and Jacobsen.

Senate File 2347

State Government: Sexton, Chair; Moore and T. Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**House Study Bill 673**

Ways and Means: Hein, Chair; Bennett and Sieck.

AMENDMENTS FILED

H-8142	H.F.	2446	Pettengill of Benton
H-8143	H.F.	2421	Baltimore of Boone
H-8144	H.F.	2372	Hunter of Polk
H-8145	S.F.	475	Pettengill of Benton
H-8146	H.F.	2303	McKean of Jones
H-8147	H.F.	2423	Nunn of Polk
H-8148	H.F.	2234	Meyer of Polk
H-8149	H.F.	2455	Staed of Linn
H-8150	S.F.	2177	Nunn of Polk
H-8151	H.F.	2397	Wolfe of Clinton

On motion by Hagenow of Polk, the House adjourned at 5:24 p.m., until 8:30 a.m., Thursday, March 1, 2018.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 1, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Trevor E. Pinegar, Federated Church, Bondurant. He was the guest of Nunn of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Emily Donaker, Page from George.

The Journal of Wednesday, February 28, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2281, a bill for an act relating to the prerequisites for and prohibition against an abortion related to the testing for, and following the detection of, a fetal heartbeat, providing for a repeal, and providing penalties.

Also: That the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2325, a bill for an act relating to the notation of discharges of motor vehicle security interests.

Also: That the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2341, a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions.

Also: That the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2344, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

Also: That the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2357, a bill for an act relating to jurisdictional changes to small claims court cases.

Also: That the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2382, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2310, by committee on State Government, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Read first time and **passed on file**.

Senate File 2353, by committee on Labor and Business Relations, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

Read first time and referred to committee on **Labor**.

Senate File 2373, by committee on Judiciary, a bill for an act relating to the criminal offense of child endangerment by prohibiting a sex offender access to a child or certain minors, and providing penalties.

Read first time and referred to committee on **Judiciary**.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 9:39 a.m., Highfill of Polk in the chair.

CONSIDERATION OF BILLS
Regular Calendar

House File 2406, a bill for an act establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions, was taken up for consideration.

Dolecheck of Ringgold offered amendment H-8135 filed by him and moved its adoption.

Amendment H-8135 was adopted.

Bossman of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2406)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Cphoon	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Heartsill	Heaton	Heddens
Hein	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Highfill, Presiding

The nays were, none.

Absent or not voting, 4:

Carlson Finkenauer Hanusa Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2308, a bill for an act relating to final-stage motor vehicle manufacturers, was taken up for consideration.

Best of Carroll offered amendment H-8088 filed by him and moved its adoption.

Amendment H-8088 was adopted.

SENATE FILE 2262 SUBSTITUTED FOR HOUSE FILE 2308

Best of Carroll asked and received unanimous consent to substitute Senate File 2262 for House File 2308.

Senate File 2262, a bill for an act relating to final-stage motor vehicle manufacturers, was taken up for consideration.

Best of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2262)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Cohoon	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Heartsill	Heaton	Heddens
Hein	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester

Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Highfill, Presiding

The nays were, none.

Absent or not voting, 4:

Carlson	Finkenauer	Hanusa	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Windschitl of Harrison in the chair at 9:51 a.m.

House File 2354, a bill for an act relating to student personal information protection, was taken up for consideration.

Hager of Allamakee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2354)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Cphoon	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein

Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Carlson	Finkenauer	Hanusa	Taylor, R.
Zumbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2397, a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions, was taken up for consideration.

Wolfe of Clinton asked and received unanimous consent to withdraw amendment H-8151 filed by her on February 28, 2018.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2397)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Cohoon	Cownie	Deyoe
Dolecheck	Fisher	Forbes	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz

Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 1:

Baudler

Absent or not voting, 4:

Carlson	Finkenauer	Hanusa	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2423, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and personal information security breach protection, was taken up for consideration.

Nunn of Polk asked and received unanimous consent that amendment H-8141 be deferred.

Nunn of Polk offered amendment H-8147 filed by him and moved its adoption.

Amendment H-8147 was adopted.

SENATE FILE 2177 SUBSTITUTED FOR HOUSE FILE 2423

Nunn of Polk asked and received unanimous consent to substitute Senate File 2177 for House File 2423, placing out of order amendment H-8141 filed by Nunn of Polk on February 27, 2018.

Senate File 2177, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions, was taken up for consideration.

Nunn of Polk offered amendment H-8150 filed by him and moved its adoption.

Amendment H-8150 was adopted.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2177)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossmann
Breckenridge	Brown-Powers	Cohoon	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Carlson	Finkenauer	Hanusa	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2446, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable, was taken up for consideration.

Pettengill of Benton offered amendment H-8142 filed by her.

Pettengill of Benton offered amendment H-8152, to amendment H-8142, filed by her from the floor and moved its adoption.

Amendment H-8152, to amendment H-8142, was adopted.

Pettengill of Benton moved the adoption of amendment H-8142, as amended.

Amendment H-8142, as amended, was adopted.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2446)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Cphoon	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson

Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Carlson	Finkenauer	Hanusa	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2354, 2397, 2406, 2446** and **Senate Files 2177** and **2262**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 92, 2072, 2165, 2265, 2279, 2308 and 2423 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Carlson of Muscatine	Finkenauer of Dubuque
Hanusa of Pottawattamie	Taylor, R. of Dallas

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 28, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2383, a bill for an act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the moneys and credits tax, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

W. CHARLES SMITHSON, Secretary

SUBCOMMITTEE ASSIGNMENT

House File 2468

Agriculture: Sexton, Chair; Cohoon and Holz.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 674

Government Oversight: Pettengill, Chair; Thede and Windschitl.

House Study Bill 675

Government Oversight: Kaufmann, Chair; Gains and Heartsill.

House Study Bill 676

Government Oversight: Windschitl, Chair; Heaton and Lensing.

House Study Bill 677

Government Oversight: Windschitl, Chair; Heaton and Wolfe.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 2114, a bill for an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

Fiscal Note: **No**

Recommendation: **Do Pass** February 28, 2018.

Senate File 2274, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

Fiscal Note: **No**

Recommendation: **Do Pass** February 28, 2018.

AMENDMENTS FILED

H-8152	H.F.	2446	Pettengill of Benton
H-8153	S.F.	475	Salmon of Black Hawk
			Watts of Dallas
			Gassman of Winnebago
			Baxter of Hancock
			Fisher of Tama
H-8154	H.F.	2455	Staed of Linn
H-8155	H.F.	2410	Breckenridge of Jasper

On motion by Hagenow of Polk, the House adjourned at 10:20 a.m., until 10:00 a.m., Friday, March 2, 2018.

JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 2, 2018

The House met pursuant to adjournment at 10:02 a.m., Pettengill of Benton in the chair.

Prayer was offered by Pettengill of Benton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Joe Earle.

The Journal of Thursday, March 1, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 1, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2199, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

Also: That the Senate has on March 1, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2237, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

Also: That the Senate has on March 1, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2171, a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters.

Also: That the Senate has on March 1, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2290, a bill for an act relating to boards of trustees for county and city hospitals.

Also: That the Senate has on March 1, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2299, a bill for an act relating to stroke-related care including the designation of comprehensive, primary, and thrombectomy-capable stroke centers and acute stroke-ready hospitals.

Also: That the Senate has on March 1, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2316, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILL

House File 2469, by committee on State Government, a bill for an act relating to the expenditure of public funds and funds held in trust by statewide elected officials, members of the general assembly, or local officials on certain forms of advertisement and imposing penalties.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 2171, by committee on Education, a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters.

Read first time and referred to committee on **Education**.

Senate File 2290, by committee on State Government, a bill for an act relating to boards of trustees for county and city hospitals.

Read first time and **passed on file**.

Senate File 2299, by committee on Human Resources, a bill for an act relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals.

Read first time and referred to committee on **Human Resources**.

Senate File 2316, by committee on Commerce, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers.

Read first time and **passed on file**.

Senate File 2325, by committee on Transportation, a bill for an act relating to the notation of discharges of motor vehicle security interests.

Read first time and **passed on file**.

Senate File 2341, by committee on Education, a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions.

Read first time and referred to committee on **Education**.

Senate File 2344, by committee on Education, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

Read first time and referred to committee on **Education**.

Senate File 2357, by committee on Judiciary, a bill for an act relating to jurisdictional changes to small claims court cases.

Read first time and referred to committee on **Judiciary**.

Senate File 2382, by committee on Judiciary, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

Senate File 2383, by committee on Ways and Means, a bill for an act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits,

the moneys and credits tax, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

Read first time and referred to committee on **Ways and Means**.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

BOARD OF REGENTS

Data Collection of In-Field Agricultural Practices Pilot Project Report, pursuant to Chapter 132.18, 2015 Iowa Acts.

COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Comprehensive Public Safety Answering Point Cost and Expenditure Data Report, pursuant to Iowa Code section 34A.7A.

DEPARTMENT OF PUBLIC DEFENSE

Offenses Reported to Civilian Law Enforcement Authorities Report, pursuant to Iowa Code section 29B.116B.

DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Senate File 2228, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 1, 2018.

Senate File 2298, a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** March 1, 2018.

Senate File 2334, a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

Fiscal Note: **No**

Recommendation: **Do Pass** March 1, 2018.

AMENDMENT FILED

H-8156 H.F. 2441 Steckman of Cerro Gordo

On motion by Heaton of Henry, the House adjourned at 10:08 a.m., until 1:00 p.m., Monday, March 5, 2018.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day - Thirty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 5, 2018

The House met pursuant to adjournment at 1:00 p.m., Highfill of Polk in the chair.

Prayer was offered by Reverend Max Phillips, CEO of Perry Lutheran Home. He was the guest of Hanusa of Pottawattamie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by students from the Iowa School for the Deaf, Council Bluffs. They were the guests of Hanusa of Pottawattamie.

The Journal of Friday, March 2, 2018, was approved.

On motion by Hagenow of Polk, the House was recessed at 1:07 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:57 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 2304, a bill for an act relating to motor vehicles approaching certain stationary motor vehicles, and providing penalties, was taken up for consideration.

R. Taylor of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2304)

The ayes were, 96:

Abdul-Samad
Baudler

Anderson
Baxter

Bacon
Bearinger

Baltimore
Bennett

Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Kaufmann	Maxwell	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2257, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions, was taken up for consideration.

SENATE FILE 2059 SUBSTITUTED FOR HOUSE FILE 2257

Heartsill of Marion asked and received unanimous consent to substitute Senate File 2059 for House File 2257.

Senate File 2059, a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions, was taken up for consideration.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2059)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Maxwell	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2303, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable, was taken up for consideration.

McKean of Jones offered amendment H-8146 filed by him and moved its adoption.

Amendment H-8146 was adopted.

McKean of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2303)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Maxwell	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2321, a bill for an act relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions, was taken up for consideration.

Hanusa of Pottawattamie offered amendment H-8139 filed by her and moved its adoption.

Amendment H-8139 was adopted.

Hanusa of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2321)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Maxwell	Nunn	Prichard	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2349, a bill for an act relating to persons voluntarily excluded from gambling facilities, was taken up for consideration.

Highfill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2349)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Maxwell	Nunn	Prichard	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2365, a bill for an act relating to conservation and recreation policies and programs within the department of natural resources, was taken up for consideration.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2365)

The ayes were, 85:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Jacobsen
Jacoby	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lensing
Lundgren	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 11:

Cohoon	Finkenauer	Hall	Isenhart
Kacena	Kearns	Kressig	Kurth
McKean	Winckler	Wolfe	

Absent or not voting, 4:

Maxwell	Nunn	Prichard	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2412, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness, was taken up for consideration.

SENATE FILE 2135 SUBSTITUTED FOR HOUSE FILE 2412

Heartsill of Marion asked and received unanimous consent to substitute Senate File 2135 for House File 2412.

Senate File 2135, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness, was taken up for consideration.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2135)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossman	Breckenridge	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaskill	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	McKean	Mohr
Mommsen	Moore	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sieck	Smith, M.
Upmeyer, Spkr.	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 38:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Finkenauer	Gaines	Gassman
Hall	Heaton	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Running-Marquardt	Sheets

Smith, R.	Staed	Steckman	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 4:

Maxwell	Nunn	Prichard	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2425, a bill for an act establishing a physical therapy licensure compact, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2425)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Maxwell Nunn Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2466, a bill for an act relating to the management of the spread of diseases in wild animals, making penalties applicable, and including effective date provisions, was taken up for consideration.

Baxter of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2466)

The ayes were, 93:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 1:

Gassman

Absent or not voting, 6:

Maxwell	Miller, H.	Nunn	Prichard
Taylor, R.	Upmeyer, Spkr.		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2303, 2304, 2321, 2349, 2365, 2425, 2466** and **Senate Files 2059** and **2135**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 530, 2028, 2166, 2257, 2296 and 2412 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Maxwell of Poweshiek	Nunn of Polk
Prichard of Floyd	Taylor, R. of Dallas

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2286, a bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

Also: That the Senate has on March 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2408, a bill for an act regulating the sale of eggs by grocery stores participating in a federal program.

Also: That the Senate has on March 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 192, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

Also: That the Senate has on March 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2303, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Also: That the Senate has on March 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2322, a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

W. CHARLES SMITHSON, Secretary

HOUSE FILE REFERRED

The Speaker announced that House File 2313, previously placed on the **calendar** was referred to committee on **Ways and Means**.

EXPLANATION OF VOTE

On March 1, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2354 – “aye”
House File 2406 – “aye”
Senate File 2177 – “aye”

House File 2397 – “aye”
House File 2446 – “aye”
Senate File 2262 – “aye”

Carlson of Muscatine

SUBCOMMITTEE ASSIGNMENTS

Senate File 2341

Education: Jacobsen, Chair; R. Smith and Wheeler.

Senate File 2344

Education: Jones, Chair; Gaines and Salmon.

Senate File 2353

Labor: Klein, Chair; Deyoe and Kacena.

RESOLUTION FILED

H.R. 105, by Hanusa, a resolution to recognize the Iowa Small Business Development Centers and honor 2018 award winners.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8157	H.F.	2431	Kacena of Woodbury
H-8158	H.F.	2284	McKean of Jones
H-8159	H.F.	2443	Baltimore of Boone
H-8160	H.F.	2439	Highfill of Polk
H-8161	S.F.	2333	Moore of Cass
H-8162	H.F.	2282	Moore of Cass
H-8163	H.F.	2277	Zumbach of Linn
H-8164	S.F.	2316	Staed of Linn
H-8165	H.F.	2416	Worthan of Buena Vista
H-8166	H.F.	2342	Heartsill of Marion
H-8167	H.F.	2441	Koester of Polk
H-8168	H.F.	2441	Koester of Polk
H-8169	H.F.	2280	Moore of Cass
H-8170	H.F.	2467	Koester of Polk
			Running-Marquardt of Linn
			Gaines of Polk
			Hinson of Linn
H-8171	H.F.	2401	Klein of Washington
H-8172	H.F.	2441	Koester of Polk
H-8173	H.F.	2455	Pettengill of Benton
H-8174	H.F.	2253	Landon of Polk
H-8175	S.F.	2169	Kressig of Black Hawk
H-8176	S.F.	2169	McConkey of Pottawattamie
H-8177	H.F.	2350	Moore of Cass
H-8178	H.F.	2399	Bergan of Winneshiek

On motion by Hagenow of Polk, the House adjourned at 5:50 p.m., until 8:30 a.m., Tuesday, March 6, 2018.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 6, 2018

The House met pursuant to adjournment at 8:32 a.m., Fry of Clarke in the chair.

Prayer was offered by Pastor Dan Schoepf, Calvary Church, Muscatine. He was the guest of Kaufmann of Cedar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rylee Lobberecht, Page from Eddyville.

The Journal of Monday, March 5, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 5, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2131, a bill for an act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, directing the area education agencies to convene an online learning working group, and including effective date provisions.

Also: That the Senate has on March 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2314, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

Also: That the Senate has on March 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2345, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Also: That the Senate has on March 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2349, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers.

W. CHARLES SMITHSON, Secretary

The House stood at ease at 8:39 a.m., until the fall of the gavel.

The House resumed session at 11:02 a.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 2130, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards, was taken up for consideration.

Koester of Polk offered amendment H-8137 filed by him and moved its adoption.

Amendment H-8137 was adopted.

SENATE FILE 2098 SUBSTITUTED FOR HOUSE FILE 2130

Koester of Polk asked and received unanimous consent to substitute Senate File 2098 for House File 2130.

Senate File 2098, a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2098)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Heddens	Jones	Nunn	Prichard
Taylor, R.			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2234, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property, was taken up for consideration.

McConkey of Pottawattamie offered amendment H-8038 filed by him and moved its adoption.

Roll call was requested by McConkey of Pottawattamie and Bearinger of Fayette.

On the question "Shall amendment H-8038 be adopted?" (H.F. 2234)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Heddens	Jones	Nunn	Prichard
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Amendment H-8038 lost.

Meyer of Polk offered amendment H-8148 filed by him and moved its adoption.

Amendment H-8148 lost.

Lundgren of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2234)

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 4:

Heddens	Jones	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2253, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions, was taken up for consideration.

Landon of Polk offered amendment H-8174 filed by him and moved its adoption.

Amendment H-8174 was adopted.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2253)

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 4:

Heddens	Jones	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Baudler of Adair in the chair at 11:40 a.m.

House File 2258, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions, was taken up for consideration.

Bloomington of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2258)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomington	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Baudler, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Jones	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2277, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist, was taken up for consideration.

Zumbach of Linn offered amendment H-8163 filed by him and moved its adoption.

Amendment H-8163 was adopted.

Zumbach of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2277)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Baudler,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Bloomingtondale
Prichard

Heddens

Jones

Nunn

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Windschitl of Harrison in the chair at 11:51 a.m.

House File 2280, a bill for an act relating to subject and performance-based assessments administered prior to a student's completion of a practitioner preparation program, was taken up for consideration.

R. Smith of Black Hawk offered amendment H-8085 filed by him and moved its adoption.

Amendment H-8085 lost.

Moore of Cass offered amendment H-8169 filed by him.

R. Smith of Black Hawk rose on a point of order that amendment H-8169 was not germane.

The Speaker ruled the point well taken and amendment H-8169 not germane.

Moore of Cass asked for unanimous consent to suspend the rules to consider amendment H-8169.

Objection was raised.

Moore of Cass moved to suspend the rules to consider amendment H-8169.

Roll call was requested by Moore of Cass and R. Smith of Black Hawk.

On the question "Shall the rules be suspended to consider amendment H-8169?" (H.F. 2280)

The ayes were, 51:

Baltimore	Baudler	Baxter	Bergan
Best	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Paustian	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Upmeyer, Spkr.	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Pettengill	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 7:

Bacon	Bloomingtondale	Fisher	Hanusa
Heddens	Nunn	Prichard	

The motion to suspend the rules prevailed.

Watts of Dallas in the chair at 12:20 p.m.

Wills of Dickinson rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

M. Smith of Marshall rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Moore of Cass moved the adoption of amendment H-8169.

Amendment H-8169 was adopted.

Kaufmann of Cedar rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Kaufmann of Cedar rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2280)

The ayes were, 55:

Bacon	Baudler	Baxter	Bearinger
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Upmeyer, Spkr.	Wheeler	Wills	Windschitl
Worthan	Zumbach	Watts,	
		Presiding	

The nays were, 42:

Abdul-Samad	Anderson	Baltimore	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hunter	Isenhart	Jacoby	Kacena

Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 3:

Heddens	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2234, 2253, 2258, 2277, 2280** and **Senate File 2098**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2007 and 2130 from further consideration by the House.

On motion by Hagenow of Polk, the House was recessed at 1:24 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:04 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2165, a bill for an act concerning payments under the crime victim compensation program.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2176, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2197, a bill for an act relating to theft of motor vehicles subsequently used in the commission of a felony, and providing penalties.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2226, a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2243, a bill for an act prohibiting the use of false or misleading caller identification information to certain persons, and making penalties applicable.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2255, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2282, a bill for an act providing for the constitutionality of statutes and including effective date provisions.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 2282, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions, was taken up for consideration.

Moore of Cass offered amendment H-8162 filed by him and moved its adoption.

Amendment H-8162 was adopted.

SENATE FILE 2333 SUBSTITUTED FOR HOUSE FILE 2282

Moore of Cass asked and received unanimous consent to substitute Senate File 2333 for House File 2282.

Senate File 2333, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions, was taken up for consideration.

Moore of Cass offered amendment H-8161 filed by him and moved its adoption.

Amendment H-8161 was adopted.

Paustian of Scott in the chair at 4:13 p.m.

Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2333)

The ayes were, 66:

Bacon	Baltimore	Baxter	Bennett
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kerr	Klein
Koester	Kressig	Landon	Lundgren
Maxwell	McConkey	Mohr	Mommsen
Moore	Nielsen	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sheets
Sieck	Smith, R.	Taylor, R.	Taylor, T.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Wolfe	Worthan
Zumbach	Paustian,		
	Presiding		

The nays were, 30:

Abdul-Samad	Anderson	Baudler	Bearinger
Breckenridge	Brown-Powers	Cohoon	Forbes
Gaines	Gaskill	Heaton	Hunter
Isenhart	Kearns	Kurth	Lensing
Mascher	McKean	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Sexton
Smith, M.	Staed	Steckman	Thede
Wessel-Kroeschell	Winckler		

Absent or not voting, 4:

Heddens	Meyer	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2307, a bill for an act relating to the sale or acquisition of certain utilities, was taken up for consideration.

Landon of Polk offered amendment H-8046 filed by him and moved its adoption.

Amendment H-8046 was adopted.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2307)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig

Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Paustian, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Meyer	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2283, a bill for an act relating to the expiration date of a license issued by the board of educational examiners, was taken up for consideration.

Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2283)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren

Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Paustian, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Meyer	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2342, a bill for an act prohibiting the purchase of weapons seized as a public nuisance by certain persons, was taken up for consideration.

Windschitl of Harrison in the chair at 4:38 p.m.

Heartsill of Marion offered amendment H-8166 filed by him and moved its adoption.

Amendment H-8166 was adopted.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2342)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson

Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Meyer	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2371, a bill for an act exempting the state and municipalities from liability for claims involving honeybees on public property, was taken up for consideration.

Maxwell of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2371)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa

Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Meyer	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2380, a bill for an act relating to boards of trustees for county and city hospitals, was taken up for consideration.

SENATE FILE 2290 SUBSTITUTED FOR HOUSE FILE 2380

Zumbach of Linn asked and received unanimous consent to substitute Senate File 2290 for House File 2380.

Senate File 2290, a bill for an act relating to boards of trustees for county and city hospitals, was taken up for consideration.

Zumbach of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2290)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Meyer	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2382, a bill for an act relating to the composition of the engineering and land surveying examining board, was taken up for consideration.

Holz of Plymouth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2382)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Heddens	Meyer	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2441, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions, was taken up for consideration.

Steckman of Cerro Gordo offered amendment H-8156 filed by her and moved its adoption.

Roll call was requested by Steckman of Cerro Gordo and Breckenridge of Jasper.

On the question "Shall amendment H-8156 be adopted?" (H.F. 2441)

The ayes were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Best	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Forbes	Gaines	Gaskill
Hall	Hunter	Isenhardt	Jacoby
Jones	Kacena	Kearns	Kressig
Kurth	Lensing	Lundgren	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Bergan	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Kaufmann	Kerr	Klein	Koester
Landon	Maxwell	McKean	Mohr
Mommsen	Moore	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 3:

Heddens	Nunn	Prichard
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Amendment H-8156 lost.

Koester of Polk offered amendment H-8172 filed by him and moved its adoption.

Amendment H-8172 was adopted.

Koester of Polk offered amendment H-8167 filed by him and moved its adoption.

Amendment H-8167 was adopted.

Koester of Polk offered amendment H-8168 filed by him and moved its adoption.

Amendment H-8168 was adopted.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2441)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Heddens	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2449, a bill for an act relating to the substitute decision maker Act, was taken up for consideration.

Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2449)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Heddens	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2451, a bill for an act relating to the programs and services under the purview of the department on aging, was taken up for consideration.

R. Taylor of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2451)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Fisher	Heddens	Nunn	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2283, 2307, 2342, 2371, 2382, 2441, 2449, 2451** and **Senate Files 2290** and **2333**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2127, 2282 and 2380 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Fisher of Tama
Jones of Clay
Nunn of Polk

Heddens of Story
Meyer of Polk
Prichard of Floyd

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 6, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2457, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2330, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

W. CHARLES SMITHSON, Secretary

HOUSE FILE REFERRED

The Speaker announced that House File 2431, previously placed on the **calendar** was referred to committee on **Appropriations**.

EXPLANATION OF VOTE

On March 6, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Amendment H-8038 (H.F. 2234) – “nay”

House File 2234 – “aye”

House File 2253 – “aye”

House File 2258 – “aye”

House File 2277 – “aye”

Senate File 2098 – “aye”

Jones of Clay

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 6th day of March, 2018: House Files 2175, 2197, 2230 and 2240.

CARMINE BOAL
Chief Clerk of the House

SUBCOMMITTEE ASSIGNMENT

Senate File 2382

Judiciary: Baltimore, Chair; Hinson and Wolfe.

AMENDMENTS FILED

H-8179	H.F.	2284	Wolfe of Clinton
H-8180	H.F.	2391	Best of Carroll
H-8181	H.F.	2411	Gustafson of Madison
H-8182	H.F.	2443	Baltimore of Boone
H-8183	H.F.	2467	Hinson of Linn
H-8184	S.F.	2169	Fisher of Tama

H-8185	S.F.	2099	Gustafson of Madison
H-8186	H.F.	2442	Wheeler of Sioux
H-8187	S.F.	2099	Gustafson of Madison
H-8188	S.F.	2169	Meyer of Polk
H-8189	S.F.	2235	Olson of Polk
H-8190	S.F.	2235	Olson of Polk
H-8191	S.F.	2235	Olson of Polk

On motion by Hagenow of Polk, the House adjourned at 5:29 p.m., until 8:30 a.m., Wednesday, March 7, 2018.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 7, 2018

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Jeremy Carr, Northpoint Church, Johnston. He was the guest of Highfill of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jack Lucas, Majority Leader's Page from Johnston.

The Journal of Tuesday, March 6, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2293, a bill for an act relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2311, a bill for an act modifying various provisions relating to public utilities.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2343, a bill for an act allowing law enforcement agencies to retain possession of motor vehicles suspected to have been used to elude law enforcement vehicles.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2346, a bill for an act relating to the ballot arrangement for certain partisan offices.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2364, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2367, a bill for an act relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations, and providing for state aid for such children under the state school foundation program.

Also: That the Senate has on March 6, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2377, a bill for an act authorizing an administrator in charge of any facility for the detention or custody of juveniles to lock the facility.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILL

House File 2470, by Bergan, a bill for an act relating to the Iowa first-time homebuyer savings account program, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

SENATE MESSAGES CONSIDERED

Senate File 192, by Segebart, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

Read first time and referred to committee on **State Government**.

Senate File 2165, by committee on Judiciary, a bill for an act concerning payments under the crime victim compensation program.

Read first time and referred to committee on **Judiciary**.

Senate File 2176, by committee on Judiciary, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

Read first time and **passed on file**.

Senate File 2197, by Smith, a bill for an act relating to theft of motor vehicles subsequently used in the commission of a felony, and providing penalties.

Read first time and referred to committee on **Judiciary**.

Senate File 2226, by committee on Local Government, a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

Read first time and referred to committee on **Local Government**.

Senate File 2243, by committee on Commerce, a bill for an act prohibiting the use of false or misleading caller identification information to certain persons, and making penalties applicable.

Read first time and referred to committee on **Commerce**.

Senate File 2255, by committee on State Government, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

Read first time and **passed on file**.

Senate File 2281, by committee on Judiciary, a bill for an act relating to the prerequisites for and prohibition against an abortion related to the testing for, and following the detection of, a fetal heartbeat, providing for a repeal, and providing penalties.

Read first time and referred to committee on **Human Resources**.

Senate File 2282, by committee on Judiciary, a bill for an act providing for the constitutionality of statutes and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

Senate File 2303, by committee on Judiciary, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Read first time and **passed on file**.

Senate File 2314, by committee on Judiciary, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

Read first time and **passed on file**.

Senate File 2322, by committee on State Government, a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

Read first time and referred to committee on **Human Resources**.

Senate File 2330, by committee on Commerce, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Read first time and referred to committee on **Commerce**.

Senate File 2345, by committee on State Government, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Read first time and referred to committee on **Appropriations**.

Senate File 2349, by committee on Commerce, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers.

Read first time and referred to committee on **Commerce**.

SPECIAL PRESENTATIONS

Landon of Polk introduced to the House, the 2017 National High School Champion Trap Team, the Ankeny Centennial Jaguars.

The House rose and expressed its welcome.

Heartsill of Marion introduced to the House, the 2018 Pella Tulip Queen and her court.

The House rose and expressed its welcome.

On motion by Hagenow of Polk, the House was recessed at 8:50 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:13 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 7, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2302, a bill for an act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2101, a bill for an act relating to purple marks or caps on top of trees or posts to indicate that unlawful entry constitutes criminal trespass and making penalties applicable.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2203, a bill for an act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2231, a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2318, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2355, a bill for an act providing for an audit, accounting, and appraisal of the Iowa communications network.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2362, a bill for an act establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions.

W. CHARLES SMITHSON, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2293, by committee on Transportation, a bill for an act relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises.

Read first time and referred to committee on **Transportation**.

Senate File 2311, by committee on Commerce, a bill for an act modifying various provisions relating to public utilities.

Read first time and referred to committee on **Commerce**.

Senate File 2343, by committee on Judiciary, a bill for an act allowing law enforcement agencies to retain possession of motor vehicles suspected to have been used to elude law enforcement vehicles.

Read first time and referred to committee on **Judiciary**.

Senate File 2346, by committee on State Government, a bill for an act relating to the ballot arrangement for certain partisan offices.

Read first time and referred to committee on **State Government**.

Senate File 2364, by committee on Education, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings.

Read first time and referred to committee on **Education**.

Senate File 2367, by committee on Veterans Affairs, a bill for an act relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations, and providing for state aid for such children under the state school foundation program.

Read first time and referred to committee on **Education**.

Senate File 2377, by committee on Judiciary, a bill for an act authorizing an administrator in charge of any facility for the detention or custody of juveniles to lock the facility.

Read first time and referred to committee on **Judiciary**.

CONSIDERATION OF BILLS

Regular Calendar

House File 2284, a bill for an act relating to the statute of limitations period for executing judgments on claims for rent, was taken up for consideration.

McKean of Jones offered amendment H-8158 filed by him.

Wolfe of Clinton asked and received unanimous consent to withdraw amendment H-8179, to amendment H-8158, filed by her on March 6, 2018.

McKean of Jones moved the adoption of amendment H-8158.

Amendment H-8158 was adopted.

McKean of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2284)

The ayes were, 82:

Anderson	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bergan	Best
Bloomington	Bossmann	Breckenridge	Brown-Powers
Carlson	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jacoby	Jones	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Landon	Lundgren	Maxwell
McConkey	McKean	Meyer	Miller, H.
Mohr	Mommsen	Moore	Nielsen
Nunn	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Watts
Wheeler	Wills	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 15:

Abdul-Samad	Bennett	Gaines	Heddens
Hunter	Isenhardt	Kacena	Kurth
Lensing	Mascher	Miller, P.	Oldson
Smith, R.	Wessel-Kroeschell	Winckler	

Absent or not voting, 3:

Cohoon	Prichard	Vander Linden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2318, a bill for an act relating to redemption by certain persons of parcels sold at tax sale, was taken up for consideration.

McKean of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2318)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Cohoon	Prichard	Vander Linden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2319, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding

certain criminal offenses committed by members of the national guard, was taken up for consideration.

SENATE FILE 2201 SUBSTITUTED FOR HOUSE FILE 2319

Hanusa of Pottawattamie asked and received unanimous consent to substitute Senate File 2201 for House File 2319.

Senate File 2201, a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard, was taken up for consideration.

Hanusa of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2201)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Cohoon

Prichard

Vander Linden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2399, a bill for an act relating to the state training school at Eldora, was taken up for consideration.

Mascher of Johnson offered amendment H-8112 filed by her.

Bergan of Winneshiek rose on a point of order that amendment H-8112 was not germane.

The Speaker ruled the point well taken and amendment H-8112 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8112.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8112.

Roll call was requested by Mascher of Johnson and Steckman of Cerro Gordo.

On the question "Shall the rules be suspended to consider amendment H-8112?" (H.F. 2399)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Best	Breckenridge	Brown-Powers	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 3:

Cohoon	Prichard	Vander Linden
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The motion to suspend the rules lost.

Bergan of Winneshiek offered amendment H-8178 filed by him and moved its adoption.

Roll call was requested by Mascher of Johnson and Abdul-Samad of Polk.

On the question "Shall amendment H-8178 be adopted?" (H.F. 2399)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Ishenart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren

Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Cohoon	Prichard	Vander Linden
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Amendment H-8178 was adopted.

Kressig of Black Hawk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Bergan of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2399)

The ayes were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Olson	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.

Upmeyer, Spkr. Worthan	Watts Zumbach	Wheeler Windschitl, Presiding	Wills
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The nays were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 3:

Cphoon	Prichard	Vander Linden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2401, a bill for an act relating to child abuse involving access to a child by a person who is a sex offender, was taken up for consideration.

Klein of Washington offered amendment H-8171 filed by him.

Olson of Polk offered amendment H-8197, to amendment H-8171, filed by him from the floor and moved its adoption.

Amendment H-8197, to amendment H-8171 was adopted.

Rizer of Linn asked and received unanimous consent to withdraw amendment H-8208, to amendment H-8171, filed by him and Jones of Clay from the floor.

Klein of Washington moved the adoption of amendment H-8171, as amended.

Amendment H-8171, as amended, was adopted.

Amendment H-8196 filed by Olson of Polk, from the floor, was ruled out of order.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2401)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Worthan	Zumbach	Windschitl, Presiding

The nays were, 1:

Wolfe

Absent or not voting, 3:

Cohoon

Prichard

Vander Linden

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2411, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property, was taken up for consideration.

Gustafson of Madison offered amendment H-8181 filed by him and moved its adoption.

Amendment H-8181 was adopted.

SENATE FILE 2139 SUBSTITUTED FOR HOUSE FILE 2411

Gustafson of Madison asked and received unanimous consent to substitute Senate File 2139 for House File 2411.

Senate File 2139, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions, was taken up for consideration.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2139)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck

Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Cohoon	Prichard	Vander Linden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2420, a bill for an act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service, was taken up for consideration.

Jacobsen of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2420)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck

Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Cohoon	Prichard	Vander Linden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2442, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions, was taken up for consideration.

Wheeler of Sioux offered amendment H-8186 filed by him.

Wheeler of Sioux offered amendment H-8205, to amendment H-8186, filed by him from the floor and moved its adoption.

Amendment H-8205, to amendment H-8186, was adopted.

Wheeler of Sioux moved the adoption of amendment H-8186, as amended.

Amendment H-8186, as amended, was adopted.

Jones of Clay moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2442)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoce	Dolecheck	Finkenauer	Fisher

Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 1:

Moore

Absent or not voting, 3:

Cohoon

Prichard

Vander Linden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2450, a bill for an act relating to DNA profiling of certain criminal offenders, was taken up for consideration.

Rizer of Linn offered amendment H-8110 filed by him and moved its adoption.

Amendment H-8110 was adopted.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2450)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Cohoon	Prichard	Vander Linden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2372, a bill for an act concerning county supervisor districting plans, was taken up for consideration.

The House stood at ease at 7:07 p.m., until the fall of the gavel.

The House resumed session at 8:26 p.m., Windschitl of Harrison in the chair.

Carlson of Muscatine offered amendment H-8116 filed by him.

Hall of Woodbury asked and received unanimous consent to withdraw amendment H-8192, to amendment H-8116, filed by him from the floor.

Nielsen of Johnson asked and received unanimous consent to withdraw amendment H-8193, to amendment H-8116, filed by her from the floor.

Carlson of Muscatine offered amendment H-8210, to amendment H-8116, filed by him from the floor and moved its adoption.

Amendment H-8210, to amendment H-8116, was adopted.

Carlson of Muscatine offered amendment H-8219, to amendment H-8116, filed by him from the floor and moved its adoption.

Amendment H-8219, to amendment H-8116, was adopted.

Carlson of Muscatine moved the adoption of amendment H-8116, as amended.

Roll call was requested by Hagenow of Polk and Nunn of Polk.

On the question "Shall amendment H-8116, as amended, be adopted?" (H.F. 2372)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl,		
	Presiding		

The nays were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 4:

Cohoon	Isenhardt	Prichard	Vander Linden
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Amendment H–8116, as amended, was adopted, placing out of order amendment H–8144 filed by Hunter of Polk on February 28, 2018.

Carlson of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2372)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 4:

Cohoon	Isenhardt	Prichard	Vander Linden
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2284, 2318, 2372, 2399, 2401, 2420, 2442, 2450** and **Senate Files 2201** and **2139**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 135, 2006, 2153, 2319 and 2411 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Cohoon of Des Moines	Prichard of Floyd
Vander Linden of Mahaska	

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 7, 2018, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 2006, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2324, a bill for an act allowing certain vans and pickups to be used as school buses.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2329, a bill for an act relating to health benefit plans for members of certain agricultural organizations.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2361, a bill for an act relating to academic programs of regents institutions.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2365, a bill for an act relating to assistance animals and service animals in housing and misrepresentation of an animal as a service animal or a service-animal-in-training and providing penalties and including applicability provisions.

Also: That the Senate has on March 7, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2371, a bill for an act relating to criminal penalties for individuals engaged in human trafficking of victims who are under the age of eighteen.

W. CHARLES SMITHSON, Secretary

EXPLANATION OF VOTE

On March 6, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Amendment H-8038 (H.F. 2234) – “aye”

House File 2234 – “nay”

House File 2253 – “nay”

House File 2258 – “aye”

House File 2277 – “aye”

Amendment H-8169 (H.F. 2280) – “nay”

House File 2280 – “nay”

House File 2283 – “aye”

House File 2307 – “aye”

House File 2342 – “aye”

House File 2371 – “aye”

House File 2382 – “aye”

Amendment H-8156 (H.F. 2441) – “aye”

House File 2441 – “aye”

House File 2451 – “aye”

Senate File 2290 – “aye”

House File 2449 – “aye”

Senate File 2098 – “aye”

Senate File 2333 – “nay”

Heddens of Story

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 7, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2175, an Act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

House File 2197, an Act relating to the administration of driving skills tests required for a commercial driver's license.

House File 2230, an Act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

House File 2240, an Act permitting employers to provide employees with wage statements by electronic means.

Senate File 2163, an Act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used or snow and ice treatment or removal.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 678 Appropriations

Modifying appropriation amounts for payment of commercial and industrial property tax replacement claims and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 192

State Government: Koester, Chair; Kaufmann and Steckman.

Senate File 385 Reassigned

Judiciary: McKean, Chair; Meyer and Rizer.

Senate File 2197

Judiciary: Baltimore, Chair; Olson and Paustian.

Senate File 2299

Human Resources: Koester, Chair; Brown-Powers and Jacobsen.

Senate File 2305

Commerce: Wills, Chair; Cownie and Meyer.

Senate File 2322

Human Resources: Heaton, Chair; Bacon and Forbes.

Senate File 2357

Judiciary: McKean, Chair; Gustafson and Lensing.

Senate File 2373

Judiciary: Heartsill, Chair; Baltimore and R. Smith.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 2346), concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

Fiscal Note: **No**

Recommendation: **Do Pass** March 7, 2018.

COMMITTEE ON COMMERCE

Senate File 2257, a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Fiscal Note: **No**

Recommendation: **Do Pass** March 5, 2018.

COMMITTEE ON PUBLIC SAFETY

Senate File 481, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8202** March 6, 2018.

COMMITTEE ON STATE GOVERNMENT

Senate File 2155, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8195** March 6, 2018.

Senate File 2256, a bill for an act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

Fiscal Note: **No**

Recommendation: **Do Pass** March 6, 2018.

Senate File 2306, a bill for an act concerning the notification by the ethics and campaign disclosure board of certain candidates that an amended disclosure report has been filed by another candidate.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8194** March 6, 2018.

Senate File 2323, a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** March 6, 2018.

Senate File 2347, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 6, 2018.

COMMITTEE ON TRANSPORTATION

Senate File 2271, a bill for an act relating to motor carriers, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** March 6, 2018.

AMENDMENTS FILED

H-8192	H.F.	2372	Hall of Woodbury
H-8193	H.F.	2372	Nielsen of Johnson
H-8194	S.F.	2306	Committee on State Government
H-8195	S.F.	2155	Committee on State Government
H-8196	H.F.	2401	Olson of Polk
H-8197	H.F.	2401	Olson of Polk
H-8198	S.F.	220	Kaufmann of Cedar
H-8199	H.F.	619	Maxwell of Poweshiek
H-8200	S.F.	475	Wessel-Kroeschell of Story
H-8201	H.F.	2465	Baltimore of Boone
H-8202	S.F.	481	Committee on Public Safety
H-8203	H.F.	2443	Baltimore of Boone
H-8204	H.F.	2350	Moore of Cass
H-8205	H.F.	2442	Wheeler of Sioux
H-8206	S.F.	2113	Moore of Cass
H-8207	H.F.	2434	Dolecheck of Ringgold
H-8208	H.F.	2401	Jones of Clay
			Rizer of Linn
H-8209	H.F.	2384	Bossmann of Woodbury
H-8210	H.F.	2372	Carlson of Muscatine
H-8211	H.F.	2468	Sexton of Calhoun
H-8212	S.F.	2099	Gustafson of Madison
H-8213	H.F.	2430	Fisher of Tama
H-8214	H.F.	2252	Hunter of Polk
H-8215	S.F.	2200	Baxter of Hancock

H-8216	S.F.	475	Winckler of Scott Kurth of Scott Thede of Scott
H-8217	H.F.	2465	Baltimore of Boone
H-8218	S.F.	2169	Baudler of Adair
H-8219	H.F.	2372	Carlson of Muscatine
H-8220	H.F.	2462	Heaton of Henry Fry of Clarke
H-8221	H.F.	2430	Olson of Polk
H-8222	S.F.	2169	Meyer of Polk
H-8223	S.F.	2169	Meyer of Polk
H-8224	H.F.	2252	Wessel-Kroeschell of Story
H-8225	H.F.	2252	Hunter of Polk
H-8226	H.F.	2252	Mascher of Johnson
H-8227	H.F.	2252	Ourth of Warren
H-8228	H.F.	2252	Olson of Polk
H-8229	H.F.	2252	Hunter of Polk
H-8230	H.F.	2435	Nunn of Polk
H-8231	H.F.	2252	Mascher of Johnson
H-8232	H.F.	2252	Hunter of Polk
H-8233	H.F.	2252	Hunter of Polk
H-8234	H.F.	2252	Mascher of Johnson

On motion by Hagenow of Polk, the House adjourned at 8:54 p.m., until 8:30 a.m., Thursday, March 8, 2018.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day - Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 8, 2018

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Nathan Sherrill, St. Paul's Lutheran Church, Council Bluffs. He was the guest of Hanusa of Pottawattamie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Daryle Wright, UAG Specialist with Saydel High School Students, November Fetters and Destiny O'Connor; Teresa Bowlin, iJAG Specialist with East High School Students, Dre Haygood and Amiya Chiles; Laurie Phelan, iJAG CEO. They were the guests of Speaker Upmeyer and Steckman of Cerro Gordo.

The Journal of Wednesday, March 7, 2018, was approved.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 2006, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Read first time and referred to committee on **State Government**.

Senate File 2101, by committee on Judiciary, a bill for an act relating to purple marks or caps on top of trees or posts to indicate that unlawful entry constitutes criminal trespass and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

Senate File 2203, by committee on Human Resources, a bill for an act authorizing the board of nursing to issue a limited nursing

authorization to a nurse to complete the clinical component of a nurse refresher course.

Read first time and referred to committee on **Human Resources**.

Senate File 2231, by committee on Transportation, a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

Read first time and referred to committee on **Transportation**.

Senate File 2318, by committee on Education, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

Read first time and referred to committee on **Education**.

Senate File 2324, by committee on Transportation, a bill for an act allowing certain vans and pickups to be used as school buses.

Read first time and referred to committee on **Transportation**.

Senate File 2355, by committee on State Government, a bill for an act providing for an audit, accounting, and appraisal of the Iowa communications network.

Read first time and referred to committee on **State Government**.

Senate File 2361, by committee on Education, a bill for an act relating to academic programs of regents institutions.

Read first time and referred to committee on **Education**.

Senate File 2362, by committee on Education, a bill for an act establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions.

Read first time and referred to committee on **Education**.

Senate File 2365, by committee on Veterans Affairs, a bill for an act relating to assistance animals and service animals in housing and

misrepresentation of an animal as a service animal or a service-animal-in-training and providing penalties and including applicability provisions.

Read first time and referred to committee on **Veterans Affairs**.

Senate File 2371, by committee on Judiciary, a bill for an act relating to criminal penalties for individuals engaged in human trafficking of victims who are under the age of eighteen.

Read first time and referred to committee on **Judiciary**.

ADOPTION OF HOUSE RESOLUTION 105

Hagenow of Polk called up for consideration **House Resolution 105**, a resolution to recognize the Iowa Small Business Development Centers and honor 2018 award winners.

Hanusa of Pottawattamie moved the adoption of House Resolution 105.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:47 a.m., until the fall of the gavel.

The House resumed session at 10:29 a.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 2252, a bill for an act relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions, was taken up for consideration.

Mascher of Johnson offered amendment H-8226 filed by her.

Bergan of Winneshiek rose on a point of order that amendment H-8226 was not germane.

The Speaker ruled the point well taken and amendment H-8226 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8226.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8226.

Roll call was requested by Mascher of Johnson and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8226?" (H.F. 2252)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 2:

Prichard Taylor, R.

The motion to suspend the rules lost.

Winckler of Scott offered amendment H-8036 filed by her and moved its adoption.

Roll call was requested by Winckler of Scott and M. Smith of Marshall.

On the question "Shall amendment H-8036 be adopted?" (H.F. 2252)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 3:

Jones Prichard Taylor, R.

Amendment H-8036 lost.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment H-8224 filed by her on March 7, 2018.

Hunter of Polk offered amendment H-8229 filed by him and moved its adoption.

Roll call was requested by Hunter of Polk and M. Smith of Marshall.

On the question "Shall amendment H-8229 be adopted?" (H.F. 2252)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Kaufmann	Kerr	Klein
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 4:

Jones	Koester	Prichard	Taylor, R.
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Amendment H-8229 lost.

Winckler of Scott offered amendment H-8037 filed by her and moved its adoption.

Roll call was requested by Winckler of Scott and M. Smith of Marshall.

On the question "Shall amendment H-8037 be adopted?" (H.F. 2252)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 3:

Meyer	Prichard	Taylor, R.
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Amendment H-8037 lost.

Hunter of Polk offered amendment H-8214 filed by him.

Bergan of Winneshiek rose on a point of order that amendment H-8214 was not germane.

The Speaker ruled the point well taken and amendment H-8214 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8214.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8214.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8214?" (H.F. 2252)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 5:

Baudler	Hanusa	Meyer	Prichard
Taylor, R.			

The motion to suspend the rules lost.

Olson of Polk asked and received unanimous consent to withdraw amendment H-8228 filed by him on March 7, 2018.

Mascher of Johnson offered amendment H-8234 filed by her.

Bergan of Winneshiek rose on a point of order that amendment H-8234 was not germane.

The Speaker ruled the point well taken and amendment H-8234 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8234.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8234.

Roll call was requested by Mascher of Johnson and Winckler of Scott.

On the question "Shall the rules be suspended to consider amendment H-8234?" (H.F. 2252)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 54:

Bacon	Baltimore	Baxter	Bergan
Best	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Upmeyer, Spkr.	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 7:

Baudler	Bloomingtondale	Meyer	Prichard
Taylor, R.	Vander Linden	Watts	

The motion to suspend the rules lost.

Ourth of Warren offered amendment H-8227 filed by him and moved its adoption.

Roll call was requested by Ourth of Warren and Abdul-Samad of Polk.

On the question "Shall amendment H-8227 be adopted?" (H.F. 2252)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman

Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 3:

Meyer	Prichard	Taylor, R.
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Amendment H-8227 lost.

Hunter of Polk offered amendment H-8232 filed by him.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Hunter of Polk moved the adoption of amendment H-8232.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall amendment H-8232 be adopted?" (H.F. 2252)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 57:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomington	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 3:

Baudler	Prichard	Taylor, R.
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Amendment H-8232 lost.

Mascher of Johnson offered amendment H-8231 filed by her.

Bergan of Winneshiek rose on a point of order that amendment H-8231 was not germane.

The Speaker ruled the point well taken and amendment H-8231 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8231.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8231.

Roll call was requested by Mascher of Johnson and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8231?" (H.F. 2252)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Upmeyer, Spkr.	Vander Linden	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 4:

Carlson	Prichard	Taylor, R.	Watts
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The motion to suspend the rules lost.

Cownie of Polk in the chair at 1:33 p.m.

Hunter of Polk offered amendment H-8233 filed by him and moved its adoption.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall amendment H-8233 be adopted?" (H.F. 2252)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Deyoe
Finkenauer	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	McConkey
Meyer	Miller, H.	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Bloomingtondale	Bossman	Carlson
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Windschitl	Worthan	Zumbach	Cownie, Presiding

Absent or not voting, 3:

Best	Prichard	Taylor, R.
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Amendment H-8233 lost.

Hunter of Polk offered amendment H-8225 filed by him.

M. Smith of Marshall rose on a point of order.

The Speaker resolved the point of order.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Bergan of Winneshiek rose on a point of order that amendment H-8225 was not germane.

The Speaker ruled the point well taken and amendment H-8225 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8225.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8225.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8225?" (H.F. 2252)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Upmeyer, Spkr.	Vander Linden	Watts

Wheeler
Zumbach

Wills
Cownie,
Presiding

Windschitl

Worthan

Absent or not voting, 2:

Prichard

Taylor, R.

The motion to suspend the rules lost.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Windschitl of Harrison in the chair at 2:21 p.m.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Rizer of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Bergan of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2252)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 2:

Prichard	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2312, a bill for an act relating to testing violent crime evidence collection kits by the state criminalistics laboratory, was taken up for consideration.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2312)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2414, a bill for an act relating to the provision of medical support in child support actions, and including effective date provisions, was taken up for consideration.

Salmon of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2414)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2427, a bill for an act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2427)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2435, a bill for an act relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment and supervised electronic tracking and monitoring, was taken up for consideration.

Nunn of Polk offered amendment H-8230 filed by him.

Nunn of Polk offered amendment H-8235, to amendment H-8230, filed by him from the floor and moved its adoption.

Amendment H-8235, to amendment H-8230, was adopted.

Nunn of Polk moved the adoption of amendment H-8230, as amended.

Amendment H-8230, as amended, was adopted.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2435)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2436, a bill for an act requesting the establishment of an interim study committee relating to the use of intermediate criminal sanctions and probation revocations, was taken up for consideration.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2436)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2443, a bill for an act relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records, was taken up for consideration.

Baltimore of Boone asked and received unanimous consent to withdraw amendment H-8159 filed by him on March 5, 2018.

Baltimore of Boone asked and received unanimous consent to withdraw amendment H-8182 filed by him on March 6, 2018.

Baltimore of Boone offered amendment H-8203 filed by him and moved its adoption.

Amendment H-8203 was adopted.

Baltimore of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2443)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets

Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2444, a bill for an act relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care, was taken up for consideration.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2444)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets

Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2445, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services, was taken up for consideration.

Best of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2445)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cphoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers

Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2462, a bill for an act relating to programs and activities under the purview of the department of human services, was taken up for consideration.

Heaton of Henry offered amendment H-8220 filed by him and Fry of Clarke.

Heaton of Henry offered amendment H-8239, to amendment H-8220, filed by him and Fry of Clarke and moved its adoption.

Amendment H-8239, to amendment H-8220, was adopted.

Heaton of Henry moved the adoption of amendment H-8220, as amended.

Amendment H-8220, as amended, was adopted.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2462)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohon	Cownie

Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Baltimore Prichard Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2467, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds, was taken up for consideration.

Koester of Polk offered amendment H–8170 filed by Koester, et al.

Hinson of Linn offered amendment H–8183, to amendment H–8170, filed by her and moved its adoption.

Amendment H–8183, to amendment H–8170, was adopted.

Koester of Polk moved the adoption of amendment H–8170, as amended.

Amendment H-8170, as amended, was adopted.

On the question "Shall the bill pass?" (H.F. 2467)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Baltimore	Prichard	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2369, a bill for an act setting the dates for the submission of local public measures to the electors, was taken up for consideration.

Highfill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2369)

The ayes were, 52:

Bacon	Baudler	Baxter	Best
Bloomingtondale	Bossman	Carlson	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Bergan	Breckenridge	Brown-Powers	Cohoon
Cownie	Deyoe	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heaton
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 4:

Baltimore	Nunn	Prichard	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE MESSAGE CONSIDERED

Senate File 2375, by committee on Judiciary, a bill for an act modifying the periods of time to bring criminal actions for sexual abuse offenses against a minor, providing penalties, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2252, 2312, 2369, 2414, 2427, 2435, 2436, 2443, 2444, 2445, 2462 and 2467**.

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2294 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Meyer of Polk
Taylor, R. of Dallas

Prichard of Floyd

EXPLANATIONS OF VOTE

On March 7, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2372 – “nay”

Isenhardt of Dubuque

On March 8, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Amendment H-8036 (H.F. 2252) – “nay”

Amendment H-8229 (H.F. 2252) – “nay”

Jones of Clay

SUBCOMMITTEE ASSIGNMENTS

Senate File 361 Reassigned

Judiciary: McKean, Chair; Hein and Wessel-Kroeschell.

Senate File 2203

Human Resources: Salmon, Chair; Bacon and Brown-Powers.

Senate File 2226

Local Government: Bloomingdale, Chair; Kurth and Sheets.

Senate File 2231

Transportation: Wills, Chair; Bacon and Ourth.

Senate File 2293

Transportation: Hinson, Chair; Hager and Heddens.

Senate File 2318

Education: Gassman, Chair; Bossman and Nielsen.

Senate File 2324

Transportation: Maxwell, Chair; Huseman and P. Miller.

Senate File 2362

Education: Jacobsen, Chair; Gassman and Mascher.

Senate File 2364

Education: Wheeler, Chair; Brown-Powers and Moore.

Senate File 2365

Veterans Affairs: Jacobsen, Chair; Gaines and Zumbach.

Senate File 2367

Education: Mommsen, Chair; Breckenridge and Dolecheck.

AMENDMENTS FILED

H-8235	H.F.	2435	Nunn of Polk
H-8236	H.F.	2430	Olson of Polk

H-8237	H.F.	2430	Olson of Polk
H-8238	H.F.	2434	Dolecheck of Ringgold
H-8239	H.F.	2462	Heaton of Henry Fry of Clarke
H-8240	S.F.	481	Breckenridge of Jasper
H-8241	H.J.R.	2010	Hinson of Linn
H-8242	H.F.	2400	Hinson of Linn

On motion by Hagenow of Polk, the House adjourned at 4:09 p.m., until 12:30 p.m., Friday, March 9, 2018.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day - Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 9, 2018

The House met pursuant to adjournment at 12:31 p.m., Pettengill of Benton in the chair.

Prayer was offered by Pettengill of Benton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Pettengill of Benton.

The Journal of Thursday, March 8, 2018, was approved.

INTRODUCTION OF BILL

House File 2471, by committee on Appropriations, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

Read first time and placed on the **Appropriations calendar**.

SENATE MESSAGE CONSIDERED

Senate File 2329, by committee on Commerce, a bill for an act relating to health benefit plans for members of certain agricultural organizations.

Read first time and **passed on file**.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 2018, the following bill was approved and transmitted to the Secretary of State:

Senate File 455, an Act relating to school district funding by modifying and establishing provisions relating to state school foundation program and school district transportation costs, making appropriations, and including effective date provisions.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT OF COMMERCE Banking Division

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20.

ECONOMIC DEVELOPMENT AUTHORITY

Annual Report, pursuant to Iowa Code section 15.107B.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2101

Judiciary: Hein, Chair; Meyer and Paustian.

Senate File 2343

Judiciary: Bossman, Chair; Baltimore and Lensing.

Senate File 2371

Judiciary: Nunn, Chair; Hinson and Wolfe.

Senate File 2377

Judiciary: Jones, Chair; Bennett and Gustafson.

AMENDMENTS FILED

H-8243	S.F.	2329	M. Smith of Marshall
H-8244	S.F.	2329	Bennett of Linn
H-8245	S.F.	2329	Jacoby of Johnson
H-8246	S.F.	2329	Nielsen of Johnson

H-8247	S.F.	2329	Hall of Woodbury
H-8248	S.F.	2329	Oldson of Polk
H-8249	S.F.	2329	Oldson of Polk

On motion by Jones of Clay, the House adjourned at 12:34 p.m., until 1:00 p.m., Monday, March 12, 2018.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 12, 2018

The House met pursuant to adjournment at 1:00 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Alan Mullikin, LeGrand Friends Church, LeGrand. He was the guest of Fisher of Tama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alexis Reams of Mason City. She was the guest of Speaker Upmeyer.

The Journal of Friday, March 9, 2018, was approved.

SPECIAL PRESENTATION

Wheeler of Scott introduced to the House, former legislator John Kooiker.

The House rose and expressed its welcome.

On motion by Hagenow of Polk, the House was recessed at 1:12 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:38 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 2390, a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages, was taken up for consideration.

Jacobsen of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2390)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 360, a bill for an act relating to the newborn safe haven Act, with report of committee recommending passage, was taken up for consideration.

Holt of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 360)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2128, a bill for an act relating to probate and the administration of small estates and including applicability provisions, was taken up for consideration.

SENATE FILE 2099 SUBSTITUTED FOR HOUSE FILE 2128

Gustafson of Madison asked and received unanimous consent to substitute Senate File 2099 for House File 2128.

Senate File 2099, a bill for an act relating to probate and the administration of small estates and including applicability provisions, was taken up for consideration.

Gustafson of Madison asked and received unanimous consent to withdraw amendment H-8185 filed by him on March 6, 2018.

Gustafson of Madison offered amendment H-8212 filed by him and moved its adoption.

Amendment H-8212 was adopted, placing out of order, amendment H-8187 filed by Gustafson of Madison on March 6, 2018.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2099)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets

Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2226, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services, was taken up for consideration.

SENATE FILE 2255 SUBSTITUTED FOR HOUSE FILE 2226

Bergan of Winneshiek asked and received unanimous consent to substitute Senate File 2255 for House File 2226.

Senate File 2255, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services, was taken up for consideration.

Bergan of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2255)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyo	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson

Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2276, a bill for an act relating to the presence of a sex offender upon the real property of a public or nonpublic elementary or secondary school, was taken up for consideration.

Olson of Polk offered amendment H-8009 filed by him and moved its adoption.

Amendment H-8009 was adopted.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2276)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKear
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 1:

Wolfe

Absent or not voting, 2:

Jacoby Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2350, a bill for an act requiring school employee training and protocols relating to suicide prevention and trauma-informed care, was taken up for consideration.

Moore of Cass asked and received unanimous consent to withdraw amendment H-8177 filed by him on March 5, 2018.

Moore of Cass offered amendment H-8204 filed by him and moved its adoption.

Amendment H-8204 was adopted.

SENATE FILE 2113 SUBSTITUTED FOR HOUSE FILE 2350

Moore of Cass asked and received unanimous consent to substitute Senate File 2113 for House File 2350.

Senate File 2113, a bill for an act providing for school employee training relating to suicide awareness and prevention, was taken up for consideration.

Moore of Cass offered amendment H-8206 filed by him and moved its adoption.

Amendment H-8206 was adopted.

Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2113)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.

Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2404, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim, was taken up for consideration.

Heartsill of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2404)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler

Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2439, a bill for an act relating to horse racing regulated by the racing and gaming commission, was taken up for consideration.

Highfill of Polk offered amendment H-8160 filed by him and moved its adoption.

Amendment H-8160 was adopted.

Highfill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2439)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isehart	Jacobsen	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill

Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 1:

Sheets

Absent or not voting, 3:

Baudler	Jacoby	Taylor, R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Highfill of Polk in the chair at 5:21 p.m.

Senate File 2228, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions, with report of committee recommending passage, was taken up for consideration.

Holt of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2228)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cphoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer

Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Highfill, Presiding			

The nays were, 1:

Pettengill

Absent or not voting, 2:

Jacoby

Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2314, a bill for an act permitting cities to charge certain fireworks violations as municipal infractions, and making penalties applicable, was taken up for consideration.

Windschitl of Harrison offered amendment H-8107 filed by him and moved its adoption.

Amendment H-8107 was adopted.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2314)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow

Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Highfill, Presiding

The nays were, 2:

Baudler Maxwell

Absent or not voting, 2:

Jacoby Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2276, 2314, 2390, 2404, 2439** and **Senate Files 360, 2099, 2113, 2228** and **2255**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 352, 444, 600, 2059, 2077, 2090, 2128, 2148, 2176, 2226 and 2350 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Jacoby of Johnson

Taylor, R. of Dallas

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 12, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2303, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2241, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2247, a bill for an act relating to grandparent and great-grandparent visitation.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2321, a bill for an act relating to persons going armed with portable devices or weapons that direct an electronic current, and providing penalties.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2326, a bill for an act relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2366, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2369, a bill for an act relating to a person's county of residence as the basis for determining financial responsibility for certain human services programs and treatment or support services.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2374, a bill for an act relating to the awarding of joint custody and joint physical care.

W. CHARLES SMITHSON, Secretary

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 679 Ways and Means

Relating to fees charged by counties for the administration of commercial driver's license skills tests.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2006

State Government: Baltimore, Chair; Kaufmann and Steckman.

Senate File 2346

State Government: Rizer, Chair; Hunter and Pettengill.

Senate File 2355

State Government: Rizer, Chair; Kaufmann and Lensing.

AMENDMENTS FILED

H-8250	S.F.	2329	Vander Linden of Mahaska Pettengill of Benton
H-8251	H.F.	2469	Sexton of Calhoun
H-8252	H.F.	2469	Steckman of Cerro Gordo
H-8253	H.F.	2458	Best of Carroll
H-8254	H.F.	2394	Olson of Polk
H-8255	H.F.	2394	Olson of Polk
H-8256	H.F.	2394	Olson of Polk

On motion by Hagenow of Polk, the House adjourned at 5:32 p.m., until 8:30 a.m., Tuesday, March 13, 2018.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day - Forty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 13, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Matthew Majewski, Center Baptist Church, Lansing. He was the guest of Hager of Allamakee.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sarah and Isaac Majewski, wife and son of Pastor Majewski. They were the guests of Hager of Allamakee.

The Journal of Monday, March 12, 2018, was approved.

SENATE MESSAGES CONSIDERED

Senate File 2241, by committee on Judiciary, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

Read first time and referred to committee on **Judiciary**.

Senate File 2247, by committee on Judiciary, a bill for an act relating to grandparent and great-grandparent visitation.

Read first time and referred to committee on **Judiciary**.

Senate File 2321, by committee on Judiciary, a bill for an act relating to persons going armed with portable devices or weapons that direct an electronic current, and providing penalties.

Read first time and referred to committee on **Judiciary**.

Senate File 2326, by committee on Transportation, a bill for an act relating to the coordination of enforcement activities between the

department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

Read first time and **passed on file.**

Senate File 2366, by committee on Veterans Affairs, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

Read first time and **passed on file.**

Senate File 2369, by committee on Human Resources, a bill for an act relating to a person's county of residence as the basis for determining financial responsibility for certain human services programs and treatment or support services.

Read first time and referred to committee on **Human Resources.**

Senate File 2374, by committee on Judiciary, a bill for an act relating to the awarding of joint custody and joint physical care.

Read first time and referred to committee on **Judiciary.**

SPECIAL PRESENTATION

McKean of Jones introduced to the House, former legislator Don Redfern.

The House rose and expressed its welcome.

On motion by Hagenow of Polk, the House was recessed at 8:39 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:09 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS
Regular Calendar

House Joint Resolution 2008, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions, was taken up for consideration.

SENATE JOINT RESOLUTION 2007
SUBSTITUTED FOR
HOUSE JOINT RESOLUTION 2008

Hinson of Linn asked and received unanimous consent to substitute Senate Joint Resolution 2007 for House Joint Resolution 2008.

Senate Joint Resolution 2007, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions, was taken up for consideration.

Hinson of Linn moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 2007)

The ayes were, 90:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heaton
Heddens	Hein	Highfill	Hinson
Holz	Hunter	Huseman	Isenhardt
Jacobsen	Jones	Kacena	Kaufmann
Kearns	Kerr	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson

Olson	Ourth	Paustian	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 8:

Baudler	Heartsill	Holt	McKean
Pettengill	Sheets	Vander Linden	Wheeler

Absent or not voting, 2:

Jacoby	Klein
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

House File 2458, a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions, was taken up for consideration.

Best of Carroll offered amendment H-8253 filed by him.

Best of Carroll offered amendment H-8259, to amendment H-8253, filed by him from the floor and moved its adoption.

Amendment H-8259, to amendment H-8253, was adopted.

Best of Carroll moved the adoption of amendment H-8253, as amended.

Roll call was requested by Hall of Woodbury and Olson of Polk.

On the question "Shall amendment H-8253, as amended, be adopted?" (H.F. 2458)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Klein

Amendment H-8253, as amended was adopted.

Cownie of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2458)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer

Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Klein

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2460, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce, was taken up for consideration.

SENATE FILE 2310 SUBSTITUTED FOR HOUSE FILE 2460

Sexton of Calhoun asked and received unanimous consent to substitute Senate File 2310 for House File 2460.

Senate File 2310, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce, was taken up for consideration.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2310)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Klein

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2458, Senate Joint Resolution 2007** and **Senate File 2310**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Joint Resolutions 2006, 2008 and House File 2460 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Jacoby of Johnson

Klein of Washington

EXPLANATION OF VOTE

On March 5 through March 8, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2253 – “nay”
 House File 2342 – “aye”
 House File 2401 – “aye”
 House File 2420 – “aye”
 House File 2435 – “aye”
 House File 2442 – “aye”
 House File 2445 – “aye”
 House File 2462 – “aye”
 Senate File 2135 – “nay”

House File 2280 – “nay”
 House File 2372 – “nay”
 House File 2414 – “aye”
 House File 2427 – “aye”
 House File 2441 – “aye”
 House File 2444 – “aye”
 House File 2450 – “aye”
 House File 2467 – “aye”
 Senate File 2201 – “aye”

Prichard of Floyd

SUBCOMMITTEE ASSIGNMENTS

Senate File 359

Human Resources: Lundgren, Chair; Salmon and Wessel-Kroeschell.

Senate File 2101

Judiciary: Hein, Chair; Paustian and Meyer.

Senate File 2241

Judiciary: Bossman, Chair; Bennett and Koester.

Senate File 2243

Commerce: Holz, Chair; Fisher and McConkey.

Senate File 2247

Judiciary: Rizer, Chair; Baltimore and Lensing.

Senate File 2311

Commerce: Carlson, Chair; Cownie and Forbes.

Senate File 2321

Judiciary: Windschitl, Chair; Hein and Oldson.

Senate File 2330

Commerce: Bloomingdale, Chair; Lundgren and Ourth.

Senate File 2349

Commerce: Pettengill, Chair; Landon and Oldson.

Senate File 2375

Judiciary: Rizer, Chair; Jones and Olson.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON LABOR

Senate File 2353, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 12, 2018.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 2226, a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

Senate File 2227, a bill for an act relating to the publication of county resolutions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

RESOLUTION FILED

H.R. 106, by Hinson, T. Taylor, Staed, Running-Marquardt, Bennett, Rizer, Zumbach, and Jacobsen, a resolution honoring Eugene C. Kellogg of Cedar Rapids, Iowa, for nearly a half century of voluntary service to Iowa in emergency services.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8257	S.F.	220	Hinson of Linn
H-8258	S.F.	220	Hinson of Linn
H-8259	H.F.	2458	Best of Carroll
H-8260	H.F.	2378	Bacon of Story
H-8261	H.F.	2469	Steckman of Cerro Gordo

On motion by Hagenow of Polk, the House adjourned at 3:37 p.m., until 8:30 a.m., Wednesday, March 14, 2018.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day - Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 14, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

“Great is Thy Faithfulness” was sung by Beth Withrow from Bloomfield. She was the guest of Sheets of Appanoose and P. Miller of Jefferson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cecilia and Abraham Clark of Forest City. They were the guest of Gassman of Winnebago.

The Journal of Tuesday, March 13, 2018, was approved.

On motion by Hagenow of Polk, the House was recessed at 8:47 a.m., until 9:30 a.m.

MORNING SESSION

The House reconvened at 10:18 a.m., Windschitl of Harrison in the chair.

SPECIAL PRESENTATION

Kressig of Black Hawk introduced to the House, former legislator Patti Ruff.

The House rose and expressed its welcome.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 13, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2171, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

Also: That the Senate has on March 13, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2234, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

Also: That the Senate has on March 13, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2235, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

Also: That the Senate has on March 13, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2236, a bill for an act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

Also: That the Senate has on March 13, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2255, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Also: That the Senate has on March 13, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2283, a bill for an act relating to the expiration date of a license issued by the board of educational examiners.

Also: That the Senate has on March 13, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2284, a bill for an act relating to the statute of limitations period for executing judgments on claims for rent.

Also: That the Senate has on March 13, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2300, a bill for an act requiring the department of human services to facilitate a workgroup study relating to certain mandatory reporter training and certification requirements.

Also: That the Senate has on March 13, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2360, a bill for an act providing for a dyslexia response task force and report.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 2378, a bill for an act relating to joint exercise of government powers for federally recognized Indian tribes, was taken up for consideration.

Bacon of Story offered amendment H-8260 filed by him and moved its adoption.

Amendment H-8260 was adopted.

SENATE FILE 2289 SUBSTITUTED FOR HOUSE FILE 2378

Bacon of Story asked and received unanimous consent to substitute Senate File 2289 for House File 2378.

Senate File 2289, a bill for an act relating to the joint exercise of government powers by federally recognized Indian tribes, was taken up for consideration.

Bacon of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2289)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen

Jones	Kacena	Kaufmann	Kearns
Kerr	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Klein

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2437, a bill for an act relating to the notation of discharges of motor vehicle security interests, was taken up for consideration.

SENATE FILE 2325 SUBSTITUTED FOR HOUSE FILE 2437

McKean of Jones asked and received unanimous consent to substitute Senate File 2325 for House File 2437.

Senate File 2325, a bill for an act relating to the notation of discharges of motor vehicle security interests, was taken up for consideration.

McKean of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2325)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jones	Kacena	Kaufmann	Kearns
Kerr	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Jacoby Klein

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 220, a bill for an act regulating the use of automated traffic law enforcement systems, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Highfill of Polk offered amendment H-1267 filed by him et al.

Kaufmann of Cedar offered amendment H-8198, to amendment H-1267, filed by him and moved its adoption.

Amendment H-8198, to amendment H-1267, was adopted.

Hinson of Linn asked and received unanimous consent to withdraw amendment H-8258, to amendment H-1267, filed by her on March 13, 2018.

Hall of Woodbury rose on a point of order that amendment H-1267, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-1267, as amended, not germane.

Highfill of Polk asked for unanimous consent to suspend the rules to consider amendment H-1267, as amended.

Objection was raised.

Highfill of Polk moved to suspend the rules to consider amendment H-1267, as amended.

Roll call was requested by Meyer of Polk and M. Smith of Marshall.

On the question "Shall the rules be suspended to consider amendment H-1267, as amended?" (S.F. 220)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl,		
	Presiding		

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 2:

Jacoby	Klein
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The motion to suspend the rules prevailed.

The House stood at ease at 10:35 a.m., until the fall of the gavel.

The House resumed session at 11:04 a.m., Windschitl of Harrison in the chair.

Highfill of Polk moved the adoption of amendment H-1267, as amended.

Roll call was requested by M. Smith of Marshall and Meyer of Polk.

On the question "Shall amendment H-1267, as amended, be adopted?" (S.F. 220)

Rule 75 was invoked.

The ayes were, 43:

Bacon	Baltimore	Baudler	Baxter
Best	Bloomingtondale	Cownie	Deyoe
Dolecheck	Fisher	Forbes	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Heartsill	Highfill	Holt
Holz	Hunter	Huseman	Jones
Kaufmann	Kerr	Koester	Landon
Lundgren	Moore	Pettengill	Rogers
Salmon	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Windschitl, Presiding	

The nays were, 55:

Abdul-Samad	Anderson	Bearinger	Bennett
Bergan	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Finkenauer	Gaines
Gaskill	Hall	Hanusa	Heaton
Heddens	Hein	Hinson	Isenhart
Jacobsen	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Prichard	Rizer	Running-Marquardt
Sexton	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe	Zumbach	

Absent or not voting, 2:

Jacoby Klein

Amendment H-1267, as amended, lost.

Hinson of Linn offered amendment H-8257 filed by her and moved its adoption.

Amendment H-8257 was adopted, placing out of order amendments H-1274 filed by Rogers of Black Hawk on April 4, 2017 and H-1441 filed by Landon of Polk on April 20, 2017.

On the question "Shall the bill pass?" (S.F. 220)

The ayes were, 77:

Abdul-Samad	Anderson	Bacon	Baltimore
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Gaines	Gaskill	Gassman	Gustafson
Hager	Hall	Hanusa	Heaton
Heddens	Hein	Highfill	Hinson
Holz	Hunter	Huseman	Isenhart
Jacobsen	Kacena	Kaufmann	Kearns
Kressig	Kurth	Lensing	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Prichard

Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	Worthan
Zumbach			

The nays were, 21:

Baudler	Cownie	Fry	Grassley
Hagenow	Heartsill	Holt	Jones
Kerr	Koester	Landon	Lundgren
Pettengill	Sheets	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Windschitl, Presiding			

Absent or not voting, 2:

Jacoby	Klein
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE MESSAGES CONSIDERED

Senate File 2300, by committee on Human Resources, a bill for an act requiring the department of human services to facilitate a workgroup study relating to certain mandatory reporter training and certification requirements.

Read first time and referred to committee on **Human Resources**.

Senate File 2360, by committee on Education, a bill for an act providing for a dyslexia response task force and report.

Read first time and referred to committee on **Education**.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 220, 2289 and 2325**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2378 and 2437 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Jacoby of Johnson

Klein of Washington

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 14th day of March, 2018: House Files 2199, 2237 and 2286.

CARMINE BOAL
Chief Clerk of the House

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 680 Appropriations

Relating to programs and activities under the purview of the department of human services.

SUBCOMMITTEE ASSIGNMENTS

House File 575

Ways and Means: Vander Linden, Chair; Isenhart and Windschitl.

House File 2431

Appropriations: Worthan, Chair; Breckenridge and Fisher.

House File 2470

Ways and Means: Bergan, Chair; Bloomingdale and McConkey.

Senate File 2165

Judiciary: Bossman, Chair; Oldson and Paustian.

Senate File 2311 Reassigned

Commerce: Carlson, Chair; Forbes and Watts.

Senate File 2345

Appropriations: Hinson, Chair; Landon and T. Taylor.

Senate File 2360

Education: Salmon, Chair; Dolecheck and Steckman.

Senate File 2374

Judiciary: Jones, Chair; Heartsill and Wolfe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 679

Ways and Means: Kaufmann, Chair; Gaskill and Nunn.

House Study Bill 680

Appropriations: Heaton, Chair; Heddens and Rogers.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Senate File 2203, a bill for an act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

Senate File 2299, a bill for an act relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

Senate File 2322, a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

COMMITTEE ON STATE GOVERNMENT

Senate File 192, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8265** March 13, 2018.

COMMITTEE ON TRANSPORTATION

Senate File 2231, a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

Senate File 2293, a bill for an act relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

Senate File 2324, a bill for an act allowing certain vans and pickups to be used as school buses.

Fiscal Note: **No**

Recommendation: **Do Pass** March 13, 2018.

COMMITTEE ON VETERANS AFFAIRS

Senate File 2365, a bill for an act relating to assistance animals, assistive animals, and service dogs and providing penalties for misrepresenting oneself as entitled to an assistance animal or an assistive animal in housing and for misrepresenting an animal as an assistive animal or a service dog and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 14, 2018.

AMENDMENTS FILED

H-8262	H.F.	2235	Senate amendment
H-8263	H.F.	2284	Senate amendment
H-8264	H.F.	2234	Senate amendment
H-8265	S.F.	192	Committee on State Government
H-8266	H.F.	2454	Nielsen of Johnson
H-8267	H.F.	2400	Hinson of Linn

On motion by Hagenow of Polk, the House adjourned at 12:04 p.m., until 8:30 a.m., Thursday, March 15, 2018.

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 15, 2018

The House met pursuant to adjournment at 8:34 a.m., Wills of Dickinson in the chair.

Prayer was offered by Father Kenneth Gehling, Priest at Hospice and Palliative Medicine Fellowship, Mason City. He was the guest of Steckman of Cerro Gordo.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Maddie Gelber, iJAG Specialist with Red Oak High School and students Brandon Parris and Ashlee Young from Red Oak. They were the guests of Speaker Upmeyer and Steckman of Cerro Gordo.

The Journal of Wednesday, March 14, 2018, was approved.

BILLS PLACED ON THE UNFINISHED BUSINESS CALENDAR

Hagenow of Polk asked for unanimous consent that the following bills be placed on the unfinished business calendar.

House Joint Resolution 2009
House Joint Resolution 2010
House File 619
House File 2129/Senate File 2303
House File 2131
House File 2270/Senate File 2230
House File 2311/Senate File 2167
House File 2320/Senate File 2314
House File 2364/Senate File 2329
House File 2368/Senate File 2200
House File 2391/Senate File 2169
House File 2394/Senate File 2235
House File 2416/Senate File 2326

House File 2421
 House File 2455/Senate File 2316
 House File 2463
 House File 2464
 House File 2469
 House File 2471/Senate File 2366

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 14, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2196, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

Also: That the Senate has on March 14, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2238, a bill for an act relating to the receipt of pecuniary damages by insurers as victims of insurance fraud for purposes of criminal restitution.

Also: That the Senate has on March 14, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2307, a bill for an act relating to the sale or acquisition of certain utilities.

Also: That the Senate has on March 14, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2348, a bill for an act relating to nonsubstantive Code corrections.

W. CHARLES SMITHSON, Secretary

BILLS REREFERRED TO COMMITTEES

The Speaker announced the following bills previously placed on the calendar were rereferred to the following committees.

House File 2118/Senate File 2148	Local Government
House File 2154	Public Safety
House File 2173	Natural Resources
House File 2174	Natural Resources

House File 2194/Senate File 2356	Public Safety
House File 2249/Senate File 2176	Judiciary
House File 2250	Natural Resources
House File 2269	Public Safety
House File 2290	Human Resources
House File 2301	Local Government
House File 2310	Judiciary
House File 2337	Commerce
House File 2341	Transportation
House File 2344	State Government
House File 2345	Public Safety
House File 2353	Human Resources
House File 2366	Judiciary
House File 2375	Commerce
House File 2384	Judiciary
House File 2389	Natural Resources
House File 2393	Natural Resources
House File 2395	Public Safety
House File 2396	Judiciary
House File 2398	Education
House File 2400	Judiciary
House File 2403	Natural Resources
House File 2409	Commerce
House File 2410	Public Safety
House File 2413	Judiciary
House File 2415	State Government
House File 2419	Education
House File 2424	State Government
House File 2426	Judiciary
House File 2428	Human Resources
House File 2429	Judiciary
House File 2430	Public Safety
House File 2432	Public Safety
House File 2433	Local Government
House File 2434	Human Resources
House File 2452	Judiciary
House File 2453	Human Resources
House File 2454	Ways and Means

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 15, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2199, an Act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties.

House File 2237, an Act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies.

House File 2286, an Act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property.

Senate File 2059, an Act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Senate File 2135, an Act relating to the failure to wear a motor vehicle safety belt or safety harness.

Senate File 2262, an Act relating to final-stage motor vehicle manufacturers.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON COMMERCE

Senate File 2311, a bill for an act modifying various provisions relating to public utilities.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8268** March 15, 2018.

Senate File 2330, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 15, 2018.

Senate File 2349, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers.

Fiscal Note: **No**

Recommendation: **Do Pass** March 15, 2018.

COMMITTEE ON EDUCATION

Senate File 2318, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

Fiscal Note: **No**

Recommendation: **Do Pass** March 15, 2018.

Senate File 2364, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings.

Fiscal Note: **No**

Recommendation: **Do Pass** March 14, 2018.

COMMITTEE ON HUMAN RESOURCES

Senate File 359, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8269** March 15, 2018.

COMMITTEE ON JUDICIARY

Senate File 361, a bill for an act relating to the temporary delegation of parental authority by the parent, guardian, or legal custodian of a child.

Fiscal Note: **No**

Recommendation: **Do Pass** March 14, 2018.

Senate File 385, a bill for an act relating to the revised uniform athlete agents Act and providing remedies and penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** March 12, 2018.

Senate File 2165, a bill for an act concerning payments under the crime victim compensation program.

Fiscal Note: **No**

Recommendation: **Do Pass** March 14, 2018.

Senate File 2241, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

Fiscal Note: **No**

Recommendation: **Do Pass** March 14, 2018.

Senate File 2321, a bill for an act relating to persons going armed with portable devices or weapons that direct an electronic current, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** March 14, 2018.

COMMITTEE ON STATE GOVERNMENT

Senate Joint Resolution 2006, proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Fiscal Note: **No**

Recommendation: **Do Pass** March 15, 2018.

AMENDMENTS FILED

H-8268	S.F.	2311	Committee on Commerce
H-8269	S.F.	359	Committee on Human Resources

On motion by Hagenow of Polk, the House adjourned at 8:40 a.m., until 9:00 a.m., Friday, March 16, 2018.

JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 16, 2018

The House met pursuant to adjournment at 9:04 a.m., Landon of Polk in the chair.

Prayer was offered by Landon of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Haylea Johnson of St. Louis, Missouri and Kennedy Bland of Osceola. They were the guests of Landon of Polk.

The Journal of Thursday, March 15, 2018, was approved.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT OF HUMAN SERVICES

Mental Health and Disabilities Services Report, pursuant to Iowa Code section 225C.6.

Mental Health Services Report, pursuant to Iowa Code section 249N.8.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 2360, a bill for an act providing for a dyslexia response task force and report.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8271** March 15, 2018.

COMMITTEE ON JUDICIARY

Senate File 415, a bill for an act providing immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8272** March 14, 2018.

Senate File 2175, a bill for an act relating to partition of property in kind and partition of property by sale.

Fiscal Note: **No**

Recommendation: **Do Pass** March 12, 2018.

Senate File 2229, a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

Fiscal Note: **No**

Recommendation: **Do Pass** March 12, 2018.

Senate File 2382, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8273** March 14, 2018.

AMENDMENTS FILED

H-8270	H.J.R.	2009	Wolfe of Clinton
H-8271	S.F.	2360	Committee on Education
H-8272	S.F.	415	Committee on Judiciary
H-8273	S.F.	2382	Committee on Judiciary
H-8274	H.J.R.	2009	Wolfe of Clinton

H-8275	H.J.R.	2009	Isenhart of Dubuque
H-8276	S.F.	2364	Mascher of Johnson
H-8277	S.F.	2364	Hunter of Polk
H-8278	H.J.R.	2009	Wolfe of Clinton
H-8279	S.F.	2364	Hunter of Polk

On motion by Hagenow of Polk, the House adjourned at 9:06 a.m., until 1:00 p.m., Monday, March 19, 2018.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day - Forty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 19, 2018

The House met pursuant to adjournment at 1:05 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Dan Hanson, St. Paul Lutheran Church, Hampton. He was the guest of Speaker Upmeyer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tamara Tjeerdsma, Vice Principal at Jordan Creek Elementary School in West Des Moines, first grade teacher Judy Card and her students, including Cooper Upmeyer-Evers, grandson of Speaker Upmeyer. They were the guests of Speaker Upmeyer.

The Journal of Friday, March 16, 2018, was approved.

The House stood at ease at 1:10 p.m., until the fall of the gavel.

The House resumed session at 3:43 p.m., Holt of Crawford in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 2368, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable, was taken up for consideration.

Baxter of Hancock asked and received unanimous consent to withdraw amendment H-8055 filed by him on February 20, 2018.

SENATE FILE 2200 SUBSTITUTED FOR HOUSE FILE 2368

Baxter of Hancock asked and received unanimous consent to substitute Senate File 2200 for House File 2368.

Senate File 2200, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable, was taken up for consideration.

Baxter of Hancock offered amendment H-8215 filed by him and moved its adoption.

Amendment H-8215 was adopted.

Baxter of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2200)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holz	Hunter	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Holt, Presiding

The nays were, none.

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2471, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund, was taken up for consideration.

SENATE FILE 2366 SUBSTITUTED FOR HOUSE FILE 2471

Worthan of Buena Vista asked and received unanimous consent to substitute Senate File 2366 for House File 2471.

Senate File 2366, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund, was taken up for consideration.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2366)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holz	Hunter	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed

Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Holt, Presiding

The nays were, none.

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

Senate File 2271, a bill for an act relating to motor carriers, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2271)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kacena
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets

Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Holt, Presiding

The nays were, none.

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2323, a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2323)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holz	Hunter	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers

Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Holt, Presiding

The nays were, none.

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2231, a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm, with report of committee recommending passage, was taken up for consideration.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2231)

The ayes were, 84:

Bacon	Baudler	Baxter	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cphoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holz	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig
Landon	Lundgren	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Steckman	Taylor, R.

Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Windschitl
Wolfe	Worthan	Zumbach	Holt, Presiding

The nays were, 12:

Abdul-Samad	Anderson	Gaines	Heddens
Hunter	Kurth	Lensing	Mascher
Oldson	Staed	Wessel-Kroeschell	Winckler

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Upmeyer in the chair at 4:07 p.m.

Unfinished Business Calendar

House Joint Resolution 2009, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms, was taken up for consideration.

House Joint Resolution 2009, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Article I of the Constitution of the State of Iowa is amended by adding the following new section:

Right to keep and bear arms. SEC. 1A. The right of the people to keep and bear arms shall not be infringed. The sovereign state of Iowa affirms and recognizes this right to be a fundamental individual right. Any and all restrictions of this right shall be subject to strict scrutiny.

Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause the same to be published for three consecutive months previous to the date of that election as provided by law.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This joint resolution proposes an amendment to the Constitution of the State of Iowa providing that the right of the people to keep and bear arms shall not be infringed. The sovereign state of Iowa affirms and recognizes this right to be a fundamental individual right. Any and all restrictions of this right shall be subject to strict scrutiny.

The joint resolution, if adopted, would be referred to the next general assembly for adoption a second time before being submitted to the electorate for ratification.

Hunter of Polk asked and received unanimous consent that amendment H-8138 be deferred.

Wolfe of Clinton asked and received unanimous consent to withdraw amendment H-8270 filed by her on March 16, 2018, placing out of order amendment H-8282, to amendment H-8270, filed by Wolfe of Clinton from the floor.

Wolfe of Clinton asked and received unanimous consent to withdraw amendment H-8274 filed by her on March 16, 2018, placing out of order amendment H-8281, to amendment H-8274, filed by Wolfe of Clinton from the floor.

M. Smith of Marshall rose on a point of order.

The Speaker resolved the point of order.

Wolfe of Clinton offered amendment H-8278 filed by her.

Wolfe of Clinton offered amendment H-8280, to amendment H-8278, filed by her, from the floor and moved its adoption.

Amendment H-8280, to amendment H-8278, was adopted.

Wills of Dickinson rose on a point of order under Rule 10, decorum in debate.

The point of order was withdrawn.

Wolfe of Clinton moved the adoption of amendment H-8278, as amended.

Roll call was requested by Wolfe of Clinton and Abdul-Samad of Polk.

On the question "Shall amendment H-8278, as amended, be adopted?" (H.J.R. 2009)

The ayes were, 42:

Abdul-Samad	Anderson	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heaton
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 54:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kerr	Klein	Koester	Landon
Lundgren	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Zumbach	Speaker Upmeyer		

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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Amendment H-8278, as amended, lost.

Mascher of Johnson offered amendment H-8101 filed by her.

Windschitl of Harrison rose on a point of order that amendment H-8101 was not germane.

The Speaker ruled the point well taken and amendment H-8101 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8101.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8101.

Roll call was requested by Mascher of Johnson and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8101?" (H.J.R. 2009)

The ayes were, 40:

Abdul-Samad	Anderson	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 56:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kerr	Klein	Koester
Landon	Lundgren	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Vander Linden	Watts	Wheeler	Wills
Windschitl	Worthan	Zumbach	Speaker
			Upmeyer

Absent or not voting, 4:

Baltimore Bearerger Kaufmann Maxwell

The motion to suspend the rules lost.

Mascher of Johnson offered amendment H-8105 filed by her.

Windschitl of Harrison rose on a point of order that amendment H-8105 was not germane.

The Speaker ruled the point well taken and amendment H-8105 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8105.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8105.

Roll call was requested by Mascher of Johnson and Windschitl of Harrison.

On the question "Shall the rules be suspended to consider amendment H-8105?" (H.J.R. 2009)

The ayes were, 40:

Abdul-Samad	Anderson	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 56:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher

Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kerr	Klein	Koester
Landon	Lundgren	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Vander Linden	Watts	Wheeler	Wills
Windschitl	Worthan	Zumbach	Speaker
			Upmeyer

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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The motion to suspend the rules lost.

Meyer of Polk asked and received unanimous consent to withdraw amendment H-8051 filed by him on February 19, 2018.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8062 filed by her on February 21, 2018.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8063 filed by her on February 21, 2018.

Isenhart of Dubuque offered amendment H-8275 filed by him.

Windschitl of Harrison rose on a point of order that amendment H-8275 was not germane.

The Speaker ruled the point well taken and amendment H-8275 not germane.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8275.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8275.

Roll call was requested by Isenhart of Dubuque and Windschitl of Harrison.

On the question "Shall the rules be suspended to consider amendment H-8275?" (H.J.R. 2009)

The ayes were, 40:

Abdul-Samad	Anderson	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 55:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossmann	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanuska	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Husman	Jacobsen
Jones	Kerr	Klein	Koester
Landon	Lundgren	McKean	Mohr
Mommsen	Moore	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Vander Linden
Watts	Wheeler	Wills	Windschitl
Worthan	Zumbach	Speaker	
		Upmeyer	

Absent or not voting, 5:

Baltimore	Bearinger	Kaufmann	Maxwell
Nunn			

The motion to suspend the rules lost.

Hunter of Polk offered amendment H-8138, previously deferred.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Hunter of Polk asked and received unanimous consent to withdraw amendment H-8138 filed by him on February 27, 2018.

Wills of Dickinson in the chair at 5:59 p.m.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Windschitl of Harrison moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 2009)

The yeas were, 54:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kerr	Klein	Koester	Landon
Lundgren	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Windschitl	Worthan
Zumbach	Wills, Presiding		

The nays were, 42:

Abdul-Samad	Anderson	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heaton
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed

Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 4:

Baltimore	Bearinger	Kaufmann	Maxwell
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Joint Resolution 2009** and **Senate Files 2200, 2231, 2271, 2323** and **2366**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Joint Resolution 13 and House Files 2346, 2368 and 2471 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Bearinger of Fayette
Kaufmann of Cedar	Maxwell of Poweshiek
Nunn of Polk	

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 19, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2125, a bill for an act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

Also: That the Senate has on March 19, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2285, a bill for an act relating to supplemental reimbursement for eligible ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

Also: That the Senate has on March 19, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2318, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Also: That the Senate has on March 19, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2365, a bill for an act relating to conservation and recreation policies and programs within the department of natural resources.

Also: That the Senate has on March 19, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2407, a bill for an act relating to the application of pesticides into lakes, and providing penalties.

Also: That the Senate has on March 19, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2422, a bill for an act providing for the management of weeds, including noxious weeds, and making penalties applicable.

Also: That the Senate has on March 19, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2458, a bill for an act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 19th day of March, 2018: House File 2417.

CARMINE BOAL
Chief Clerk of the House

SPONSORS ADDED

Amendment H-8280 to H-8278 (H.J.R. 2009)

M. Smith of Marshall	T. Taylor of Linn
Ourth of Warren	Kearns of Lee
Bennett of Linn	Anderson of Polk
Steckman of Cerro Gordo	P. Miller of Jefferson
Mascher of Johnson	Jacoby of Johnson
Abdul-Samad of Polk	Nielsen of Johnson
Isenhart of Dubuque	Kacena of Woodbury
Hall of Woodbury	Breckenridge of Jasper
Gaskill of Wapello	Prichard of Floyd
Cohoon of Des Moines	Winckler of Scott
Lensing of Johnson	Kurth of Scott
Thede of Scott	H. Miller of Webster
Forbes of Polk	McConkey of Pottawattamie
Wessel-Kroeschell of Story	Heddens of Story
Olson of Polk	Brown-Powers of Black Hawk
Staed of Linn	Gaines of Polk
Kressig of Black Hawk	R. Smith of Black Hawk

AMENDMENTS FILED

H-8280	H.J.R.	2009	Wolfe of Clinton
H-8281	H.J.R.	2009	Wolfe of Clinton
H-8282	H.J.R.	2009	Wolfe of Clinton
H-8283	S.F.	2364	Breckenridge of Jasper
H-8284	S.F.	2364	Winckler of Scott
			Kurth of Scott
			Thede of Scott
H-8285	S.F.	2349	Oldson of Polk
H-8286	H.F.	2407	Senate amendment
H-8287	S.F.	2364	Staed of Linn
H-8288	S.F.	2349	Landon of Polk

On motion by Hagenow of Polk, the House adjourned at 7:16 p.m., until 8:30 a.m., Tuesday, March 20, 2018.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 20, 2018

The House met pursuant to adjournment at 8:36 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Darran Whiting, Liberty Baptist Church, Marion. He was the guest of Rizer of Linn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lincoln and Andrew Miller and Kenna Wheeler from De Soto. They are the grandchildren of P. Miller of Jefferson.

The Journal of Monday, March 19, 2018, was approved.

INTRODUCTION OF BILL

House File 2472, by Isenhardt, Wolfe, Anderson, and Breckenridge, a bill for an act requesting the establishment of an interim study committee by the legislative council relating to the administration of the criminal justice system and utilizing a justice reinvestment process.

Read first time and referred to committee on **Judiciary**.

ADOPTION OF HOUSE RESOLUTION 107

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Resolution 107**, a resolution recognizing the Hoover Uncommon Public Service Award winner for 2018, Representative Dawn Pettengill.

Kaufmann of Cedar moved the adoption of House Resolution 107.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:52 a.m., until the fall of the gavel.

The House resumed session at 9:56 a.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 2464, a bill for an act relating to the level of fees imposed pursuant to the land recycling program, was taken up for consideration.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2464)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Finkenauer Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

Senate File 2114, an act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies, with report of committee recommending passage, was taken up for consideration.

Bossman of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2114)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingle	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede

Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2274, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department, with report of committee recommending passage, was taken up for consideration.

Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2274)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lundgren	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.

Staed	Steckman	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Speaker Upmeyer		

The nays were, 5:

Hunter	Lensing	Mascher	Prichard
Taylor, T.			

Absent or not voting, 1:

Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2257, a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances, with report of committee recommending passage, was taken up for consideration.

Wills of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2257)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen

Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Taylor, R.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease at 10:06 a.m., until the fall of the gavel.

The House resumed session at 12:27 p.m., Wills of Dickinson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 20, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2305, a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions.

Also: That the Senate has on March 20, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2343, a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without clear authorization.

Also: That the Senate has on March 20, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2392, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications.

Also: That the Senate has on March 20, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2446, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

Also: That the Senate has on March 20, 2018, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2177, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

Also: That the Senate has on March 20, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2333, a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions.

W. CHARLES SMITHSON, Secretary

On motion by Hagenow of Polk, the House was recessed at 12:28 p.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:08 p.m., Cownie of Polk in the chair.

Unfinished Business Calendar

Senate File 2117, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Grassley of Butler offered amendment H-8012 filed by the committee on Appropriations.

Windschitl of Harrison in the chair at 3:10 p.m.

Grassley of Butler offered amendment H-8290, to the committee amendment H-8012, filed by him from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and M. Smith of Marshall.

On the question "Shall amendment H-8290, to the committee amendment H-8012 be adopted?" (S.F. 2117)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl,		
	Presiding		

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Vander Linden	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, none.

Amendment H-8290, to the committee amendment H-8012, was adopted.

T. Taylor of Linn offered amendment H-8294, to the committee amendment H-8012, filed by him from the floor and moved its adoption.

Roll call was requested by T. Taylor of Linn and Hall of Woodbury.

On the question "Shall amendment H-8294, to the committee amendment H-8012 be adopted?" (S.F. 2117)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 2:

Cownie	Hanusa
--------	--------

Amendment H-8294, to the committee amendment H-8012, lost.

Hall of Woodbury offered amendment H-8292, to the committee amendment H-8012, filed by him from the floor.

Grassley of Butler rose on a point of order that amendment H-8292 was not germane, to the committee amendment H-8012.

The Speaker ruled the point well taken and amendment H-8292 not germane, to the committee amendment H-8012.

Hall of Woodbury asked for unanimous consent to suspend the rules to consider amendment H-8292, to the committee amendment H-8012.

Objection was raised.

Hall of Woodbury moved to suspend the rules to consider amendment H-8292, to the committee amendment H-8012.

Roll call was requested by Hall of Woodbury and Olson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8292, to the committee amendment H-8012?" (S.F. 2117)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 58:

Baltimore	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossmann	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer

Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 1:

Bacon

The motion to suspend the rules lost.

Hall of Woodbury offered amendment H-8293, to the committee amendment H-8012, filed by him from the floor.

Grassley of Butler rose on a point of order that amendment H-8293 was not germane, to the committee amendment H-8012.

The Speaker ruled the point well taken and amendment H-8293 not germane, to the committee amendment H-8012.

Hall of Woodbury asked for unanimous consent to suspend the rules to consider amendment H-8293, to the committee amendment H-8012.

Objection was raised.

Hall of Woodbury moved to suspend the rules to consider amendment H-8293, to the committee amendment H-8012.

Roll call was requested by Hall of Woodbury and Olson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8293, to the committee amendment H-8012?" (S.F. 2117)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt

Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worhan	Zumbach	Windschitl,	
		Presiding	

Absent or not voting, none.

The motion to suspend the rules lost.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Grassley of Butler moved the adoption of the committee amendment H-8012, as amended.

The committee amendment H-8012, as amended, was adopted.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2117)

The ayes were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman

Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2464** and **Senate Files 2114, 2117, 2257 and 2274.**

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2192 from further consideration by the House.

EXPLANATION OF VOTE

On March 19, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Amendment H-8101 (H.J.R. 2009) – “nay”

Amendment H-8105 (H.J.R. 2009) – “nay”

Amendment H-8275 (H.J.R. 2009) – “nay”

Amendment H-8278 (H.J.R. 2009) – “nay”

House Joint Resolution 2009 – “aye”

Senate File 2200 – “aye”

Senate File 2231 – “aye”

Senate File 2271 – “aye”

Senate File 2323 – “aye”

Senate File 2366 – “aye”

Maxwell of Poweshiek

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 20, 2018, the following bill was approved and transmitted to the Secretary of State:

House File 2417, an Act relating to allowable forms of payment for amusement concessions at a fair.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 681 Appropriations

Relating to Iowa’s urban renewal law by excluding certain school district property and county property taxes from certain divisions of tax revenue and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 592

Ways and Means: Rizer, Chair; Holt and Jacoby.

House File 2374

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

House File 2454

Ways and Means: Kaufmann, Chair; Kurth and Nunn.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2069), modifying the sales and use tax exemption for the sale of certain component parts attached to or services performed on aircraft.

Fiscal Note: **Yes**

Recommendation: **Do Pass** March 20, 2018.

RESOLUTION FILED

H.R. 108, by Ourth, a resolution recognizing the life and work of musician and radio broadcaster Bob Dorr.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8289	S.F.	2349	Landon of Polk
H-8290	S.F.	2117	Grassley of Butler
H-8291	S.F.	2349	Oldson of Polk
H-8292	S.F.	2117	Hall of Woodbury
H-8293	S.F.	2117	Hall of Woodbury
H-8294	S.F.	2117	T. Taylor of Linn
H-8295	S.F.	359	Wessel-Kroeschell of Story
H-8296	S.F.	359	Wessel-Kroeschell of Story
H-8297	S.F.	2177	Senate amendment
H-8298	H.F.	2446	Senate amendment
H-8299	H.F.	2392	Senate amendment
H-8300	S.F.	359	Wessel-Kroeschell of Story

H-8301	S.F.	2364	Mascher of Johnson
H-8302	S.F.	2364	Hunter of Polk
			Anderson of Polk
			Bennett of Linn
			Brown-Powers of Black Hawk
			Hall of Woodbury
			Heddens of Story
			Kearns of Lee
			Mascher of Johnson
			Forbes of Polk
			Nielsen of Johnson
			Olson of Polk
			Prichard of Floyd
			M. Smith of Marshall
			Staed of Linn
			T. Taylor of Linn
			Wessel-Kroeschell of Story
			Wolfe of Clinton
			Gaskill of Wapello
			Lensing of Johnson
H-8303	S.F.	2349	Pettengill of Benton

On motion by Hagenow of Polk, the House adjourned at 4:54 p.m., until 8:30 a.m., Wednesday, March 21, 2018.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 21, 2018

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Jim Bonser, Friends Church, Marshalltown. He was the guest of Fisher of Tama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jenna Nelson, Page from Clear Lake.

The Journal of Tuesday, March 20, 2018, was approved.

INTRODUCTION OF BILL

House File 2473, by committee on Ways and Means, a bill for an act modifying the sales and use tax exemption for the sale of certain component parts attached to or services performed on aircraft.

Read first time and placed on the **Ways and Means calendar**.

The House stood at ease at 8:37 a.m., until the fall of the gavel.

The House resumed session at 10:26 a.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 2463, a bill for an act amending the definition of small city for purposes of eligibility under the workforce housing tax incentives program, including effective date and applicability provisions, was taken up for consideration.

Bloomington of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2463)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

Senate File 2334, a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals, with report of committee recommending passage, was taken up for consideration.

Bergan of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2334)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2256, a bill for an act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees, with report of committee recommending passage, was taken up for consideration.

Mascher of Johnson rose on a point of order.

The Speaker ruled the point well taken.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2256)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 192, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and

implementation provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Koester of Polk offered amendment H-8265 filed by the committee on State Government and moved its adoption.

The committee amendment H-8265 was adopted.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 192)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2364, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, with report of committee recommending passage, was taken up for consideration.

Hunter of Polk offered amendment H-8277 filed by him.

Wheeler of Sioux rose on a point of order that amendment H-8277 was not germane.

The Speaker ruled the point well taken and amendment H-8277 not germane.

Winckler of Scott offered amendment H-8284 filed by Winckler, et al.

Wheeler of Sioux rose on a point of order that amendment H-8284 was not germane.

The Speaker ruled the point well taken and amendment H-8284 not germane.

Winckler of Scott asked for unanimous consent to suspend the rules to consider amendment H-8284.

Objection was raised.

Winckler of Scott moved to suspend the rules to consider amendment H-8284.

Roll call was requested by Winckler of Scott and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8284?" (S.F. 2364)

The ayes were, 42:

Abdul-Samad
Breckenridge

Anderson
Brown-Powers

Bearinger
Cohoon

Bennett
Finkenauer

Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Mommsen	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Lundgren	Maxwell
McKean	Mohr	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 1:

Landon

The motion to suspend the rules lost.

Mascher of Johnson offered amendment H-8301 filed by her.

Hagenow of Polk asked and received unanimous consent that Senate File 2364 be deferred and that the bill retain its place on the calendar.

On motion by Hagenow of Polk, the House was recessed at 11:23 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:46 p.m., Windschitl of Harrison in the chair.

The House resumed consideration of Senate File 2364, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, previously deferred. (amendment H-8301 pending)

Wheeler of Sioux rose on a point of order that amendment H-8301 was not germane.

The Speaker ruled the point well taken and amendment H-8301 not germane.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8301.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8301.

Roll call was requested by Mascher of Johnson and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8301?" (S.F. 2364)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Nielsen	Oldson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson

Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Hager	Meyer	Olson	Upmeyer, Spkr.
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The motion to suspend the rules lost.

Hunter of Polk offered amendment H-8302 filed by Hunter, et al.

M. Smith of Marshall rose on a point of order.

The Speaker ruled the point well taken.

The House stood at ease at 4:04 p.m., until the fall of the gavel.

The House resumed session at 5:00 p.m., Windschitl of Harrison in the chair.

Wheeler of Sioux rose on a point of order that amendment H-8302 was not germane.

The Speaker ruled the point well taken and amendment H-8302 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8302.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8302.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8302?" (S.F. 2364)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 2:

Hager	Ourth
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The motion to suspend the rules lost.

Staed of Linn offered amendment H-8287 filed by him and moved its adoption.

Roll call was requested by Staed of Linn and Jacoby of Johnson.

On the question "Shall amendment H-8287 be adopted?" (S.F. 2364)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 1:

Hager

Amendment H-8287 lost.

Breckenridge of Jasper offered amendment H-8283 filed by him and moved its adoption.

Amendment H-8283 was adopted.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8276 filed by her on March 16, 2018.

Hunter of Polk offered amendment H-8279 filed by him.

Wheeler of Sioux rose on a point of order that amendment H-8279 was not germane.

The Speaker ruled the point well taken and amendment H-8279 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8279.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8279.

Roll call was requested by Hunter of Polk and Steckman of Cerro Gordo.

On the question "Shall the rules be suspended to consider amendment H-8279?" (S.F. 2364)

The ayes were, 40:

Anderson	Bearinger	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets

Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 2:

Abdul-Samad	Hager
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The motion to suspend the rules lost.

Wheeler of Sioux moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2364)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 1:

Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED
House Concurred

Salmon of Black Hawk called up for consideration **House File 2235**, a bill for an act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8262.

The motion prevailed and the House concurred in the Senate amendment H-8262.

Salmon of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2235)

The ayes were, 86:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McKean
Meyer	Miller, H.	Mohr	Mommsen
Moore	Nielsen	Nunn	Ourth
Paustian	Pettengill	Rizer	Rogers

Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 13:

Abdul-Samad	Anderson	Breckenridge	Gaines
Hall	Hunter	Kacena	McConkey
Miller, P.	Oldson	Olson	Prichard
Wessel-Kroeschell			

Absent or not voting, 1:

Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2232, a bill for an act relating to mortgage releases.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2309, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2354, a bill for an act relating to student personal information protection.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2356, a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a

service charge that covers an agreed upon period of time.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2383, a bill for an act relating to private employer alcohol testing policies.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2449, a bill for an act relating to the substitute decision maker Act.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2451, a bill for an act relating to the programs and services under the purview of the department on aging.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2456, a bill for an act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services.

Also: That the Senate has on March 21, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2113, a bill for an act requiring school employee training and protocols relating to suicide prevention and the identification of adverse childhood experiences and strategies to mitigate toxic stress response.

W. CHARLES SMITHSON, Secretary

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2235, 2463** and **Senate Files 192, 2256, 2334** and **2364**.

Regular Calendar

Senate File 2349, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers, with report of committee recommending passage, was taken up for consideration.

Landon of Polk offered amendment H-8288 filed by him.

Landon of Polk offered amendment H-8289, to amendment H-8288, filed by him and moved its adoption.

Amendment H-8289, to amendment H-8288, was adopted, placing out of order amendment H-8291, to amendment H-8288, filed by Oldson of Polk on March 20, 2018.

Landon of Polk moved the adoption of amendment H-8288, as amended.

Amendment H-8288, as amended, was adopted, placing out of order amendment H-8285 filed by Oldson of Polk on March 19, 2018, amendment H-8303 filed by Pettengill of Benton on March 20, 2018, amendment H-8304, to amendment H-8303, filed by Oldson of Polk from the floor and amendment H-8305 filed by Pettengill of Benton from the floor.

Baudler of Adair rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2349)

The ayes were, 69:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossman	Breckenridge	Brown-Powers	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Kressig	Landon
Lundgren	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen

Moore	Nunn	Ourth	Paustian
Pettengill	Prichard	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 30:

Abdul-Samad	Anderson	Bennett	Cphoon
Finkenauer	Gaines	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kurth	Lensing	Mascher
Meyer	Nielsen	Oldson	Olson
Rizer	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler		

Absent or not voting, 1:

Hager

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2349** be immediately messaged to the Senate.

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2004 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hager of Allamakee

Meyer of Polk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 21st day of March, 2018: House Files 2171, 2196, 2236, 2238, 2255, 2283, 2302, 2303, 2307, 2408 and 2457.

CARMINE BOAL
Chief Clerk of the House

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 21, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2171, an Act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

House File 2196, an Act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

House File 2236, an Act relating to service of process made on the commissioner of insurance as the agent or attorney for service of process for regulated individuals and entities and resolving inconsistencies.

House File 2238, an Act relating to the receipt of pecuniary damages by insurers as victims of insurance fraud for purposes of criminal restitution.

House File 2255, an Act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

House File 2283, an Act relating to the expiration date of a license issued by the board of educational examiners.

House File 2302, an Act relating to the operation of rescue vehicles when responding to an emergency, and making penalties applicable.

House File 2303, an Act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

House File 2307, an Act relating to the sale or acquisition of certain utilities.

House File 2408, an Act regulating the sale of eggs by grocery stores participating in a federal program.

House File 2457, an Act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

Senate File 2378, an Act relating to the boards of directors of public corporations, and including effective date provisions.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly House Study Bill 674), relating to governmental ethics and the regulation of lobbyists and gifts.

Fiscal Note: **No**

Recommendation: **Do Pass** March 21, 2018.

Committee Bill (Formerly House Study Bill 675), relating to disclosures of information to the auditor of state.

Fiscal Note: **No**

Recommendation: **Do Pass** March 21, 2018.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 679), relating to fees charged by counties for the administration of commercial driver's license skills tests.

Fiscal Note: **No**

Recommendation: **Do Pass** March 21, 2018.

AMENDMENTS FILED

H-8304 S.F. 2349 Oldson of Polk

H-8305	S.F.	2349	Pettengill of Benton
H-8306	S.F.	2311	Vander Linden of Mahaska
H-8307	S.F.	2347	Sexton of Calhoun
H-8308	S.F.	2347	Sexton of Calhoun
H-8309	S.F.	361	Olson of Polk

On motion by Hagenow of Polk, the House adjourned at 7:59 p.m., until 8:30 a.m., Thursday, March 22, 2018.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 22, 2018

The House met pursuant to adjournment at 8:33 a.m., Best of Carroll in the chair.

Prayer was offered by Pastor Elaine G. Siemsen, Immanuel Lutheran Church, Cresco. She was the guest of Bloomingdale of Worth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Benjamin Olsen, Page from McCallsburg.

The Journal of Wednesday, March 21, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2018, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 2009, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

Also: That the Senate has on March 21, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2370, a bill for an act relating to the provision of information regarding postadoption services to all adoptive families.

Also: That the Senate has on March 21, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2117, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2474, by Isenhardt, a bill for an act relating to substance use disorder prevention and treatment, including creating an excise tax on the gross receipts of certain controlled substances sold at wholesale and an opioid abuse prevention and treatment fund, making appropriations, and providing penalties.

Read first time and referred to committee on **Ways and Means**.

House File 2475, by committee on Government Oversight, a bill for an act relating to governmental ethics and the regulation of lobbyists and gifts.

Read first time and placed on the **calendar**.

House File 2476, by committee on Ways and Means, a bill for an act relating to fees charged by counties for the administration of commercial driver's license skills tests.

Read first time and placed on the **Ways and Means calendar**.

House File 2477, by committee on Government Oversight, a bill for an act relating to disclosures of information to the auditor of state.

Read first time and placed on the **calendar**.

The House stood at ease at 8:44 a.m., until the fall of the gavel.

The House resumed session at 10:44 a.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 2347, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Sexton of Calhoun offered amendment H-8308 filed by him and moved its adoption.

Amendment H-8308 was adopted, placing out of order amendment H-8307 filed by Sexton of Calhoun on March 21, 2018.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2347)

The ayes were, 86:

Abdul-Samad	Anderson	Bacon	Baltimore
Bearinger	Bergan	Best	Bloomingtondale
Bossmann	Breckenridge	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heddens	Hein	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Pettengill	Prichard	Rogers	Running-Marquardt
Sexton	Sheets	Smith, M.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 8:

Baudler	Baxter	Heaton	Lundgren
McKean	Salmon	Sieck	Wheeler

Absent or not voting, 6:

Bennett	Hager	Highfill	Paustian
Rizer	Smith, R.		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2293, a bill for an act relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises, with report of committee recommending passage, was taken up for consideration.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2293)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Hinson	Holt
Holz	Hunter	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Pettengill	Prichard	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 6:

Bennett	Hager	Highfill	Paustian
Rizer	Smith, R.		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2241, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole, with report of committee recommending passage, was taken up for consideration.

Bossman of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2241)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bergan
Best	Bloomngdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Hinson	Holt
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Pettengill	Prichard	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 6:

Bennett
Rizer

Hager
Smith, R.

Highfill

Paustian

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 475, a bill for an act relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Wheeler of Sioux offered amendment H-8001 filed by the committee on Education.

Steckman of Cerro Gordo asked and received unanimous consent to withdraw the following amendments:

H-8015, to the committee amendment H-8001, filed by Steckman of Cerro Gordo on February 15, 2018.

H-8016, to the committee amendment H-8001, filed by R. Smith of Black Hawk and Mascher of Johnson on February 15, 2018.

H-8017, to the committee amendment H-8001, filed by Steckman of Cerro Gordo on February 15, 2018.

H-8020, to the committee amendment H-8001, filed by Mascher of Johnson on February 15, 2018.

H-8021 to the committee amendment H-8001, filed by Breckenridge of Jasper on February 15, 2018.

H-8022, to the committee amendment H-8001, filed by Steckman of Cerro Gordo on February 15, 2018.

H-8024, to the committee amendment H-8001, filed by Winckler of Scott on February 15, 2018.

H-8025, to the committee amendment H-8001, filed by R. Smith of Black Hawk on February 15, 2018.

H-8026, to the committee amendment H-8001, filed by Staed of Linn on February 15, 2018.

H-8027, to the committee amendment H-8001, filed by Forbes of Polk on February 15, 2018.

H-8029, to the committee amendment H-8001, filed by Nielsen of Johnson on February 15, 2018.

H-8031, to the committee amendment H-8001, filed by Brown-Powers of Black Hawk on February 15, 2018.

H-8032, to the committee amendment H-8001, filed by Nielsen of Johnson on February 15, 2018.

H-8033, to the committee amendment H-8001, filed by Nielsen of Johnson on February 15, 2018.

H-8034, to the committee amendment H-8001, filed by Nielsen of Johnson on February 15, 2018.

H-8035, to the committee amendment H-8001, filed by Winckler of Scott on February 15, 2018.

H-8200, to the committee amendment H-8001, filed by Wessel-Kroeschell of Story on March 7, 2018.

H-8216, to the committee amendment H-8001, filed by Winckler of Scott, et al., on March 7, 2018.

Mascher of Johnson offered amendment H-8013, to the committee amendment H-8001, filed by her.

Wheeler of Sioux rose on a point of order that amendment H-8013 was not germane, to the committee amendment H-8001.

The Speaker ruled the point well taken and amendment H-8013 not germane, to the committee amendment H-8001.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8013, to the committee amendment H-8001.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8013, to the committee amendment H-8001.

Roll call was requested by Mascher of Johnson and Abdul-Samad of Polk.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-8013, to the committee amendment H-8001?" (S.F. 475)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Pettengill	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 6:

Bennett	Hager	Highfill	Paustian
Rizer	Smith, R.		

The motion to suspend the rules lost.

Mascher of Johnson offered amendment H-8014, to the committee amendment H-8001, filed by her.

Wheeler of Sioux rose on a point of order that amendment H-8014 was not germane, to the committee amendment H-8001.

The Speaker ruled the point well taken and amendment H-8014 not germane, to the committee amendment H-8001.

Mascher of Johnson asked for unanimous consent to suspend the

rules to consider amendment H-8014, to the committee amendment H-8001.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8014, to the committee amendment H-8001.

Roll call was requested by Mascher of Johnson and T. Taylor of Linn.

On the question "Shall the rules be suspended to consider amendment H-8014, to the committee amendment H-8001?" (S.F. 475)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossmann
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Pettengill	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl,	
		Presiding	

Absent or not voting, 6:

Bennett	Hager	Highfill	Paustian
Rizer	Smith, R.		

The motion to suspend the rules lost.

Winckler of Scott offered amendment H-8019, to the committee amendment H-8001, filed by her and moved its adoption.

Roll call was requested by Winckler of Scott and Hall of Woodbury.

On the question "Shall amendment H-8019, to the committee amendment H-8001, be adopted?" (S.F. 475)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Hinson	Holt
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Bennett	Hager	Highfill	Rizer
Smith, R.			

Amendment H-8019, to the committee amendment H-8001, was adopted.

Mascher of Johnson offered amendment H-8018, to the committee amendment H-8001, filed by her and moved its adoption.

Roll call was requested by Mascher of Johnson and Hall of Woodbury.

On the question "Shall amendment H-8018, to the committee amendment H-8001, be adopted?" (S.F. 475)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Hinson	Holt
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 6:

Bennett	Hager	Highfill	Nunn
Rizer	Smith, R.		

Amendment H-8018, to the committee amendment H-8001, was adopted.

Mascher of Johnson offered amendment H-8023, to the committee amendment H-8001, filed by her and moved its adoption.

Roll call was requested by Mascher of Johnson and Steckman of Cerro Gordo.

On the question "Shall amendment H-8023, to the committee amendment H-8001, be adopted?" (S.F. 475)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 54:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	Mohr
Mommsen	Moore	Paustian	Pettengill
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 6:

Bennett	Hager	Highfill	Nunn
Rizer	Smith, R.		

Amendment H-8023, to the committee amendment H-8001, lost.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8028, to the committee amendment H-8001, filed by her on February 15, 2018.

Nielsen of Johnson offered amendment H-8030, to the committee amendment H-8001, filed by Staed of Linn and moved its adoption.

Roll call was requested by Steckman of Cerro Gordo and Bearinger of Fayette.

On the question "Shall amendment H-8030, to the committee amendment H-8001, be adopted?" (S.F. 475)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Paustian
Pettengill	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 6:

Bennett	Hager	Highfill	Nunn
Rizer	Smith, R.		

Amendment H-8030, to the committee amendment H-8001, lost.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment H-8111, to the committee amendment H-8001, filed by Salmon, et al., on February 26, 2018.

Pettengill of Benton offered amendment H-8145, to the committee amendment H-8001, filed by her and moved its adoption.

Roll call was requested by Steckman of Cerro Gordo and M. Smith of Marshall.

Rule 75 was invoked.

On the question "Shall amendment H-8145, to the committee amendment H-8001, be adopted?" (S.F. 475)

The ayes were, 89:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rogers	Running-Marquardt	Sexton
Sheets	Sieck	Smith, M.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 5:

Dolecheck	Moore	Salmon	Wheeler
Winckler			

Absent or not voting, 6:

Bennett	Hager	Highfill	Nunn
Rizer	Smith, R.		

Amendment H-8145, to the committee amendment H-8001, was adopted.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment H-8153, to the committee amendment H-8001, filed by Salmon, et al., on March 1, 2018.

Wheeler of Sioux moved the adoption of the committee amendment H-8001, as amended.

The committee amendment H-8001, as amended, was adopted, placing out of order the following amendments:

H-1314 filed by Heartsill of Marion on April 6, 2017.
 H-1322 filed by Salmon of Black Hawk, et al., on April 10, 2017.
 H-1324 filed by Heartsill of Marion on April 10, 2017.
 H-1333 filed by Olson of Polk on April 12, 2017.
 H-1334 filed by Winckler of Scott on April 12, 2017.
 H-1335 filed by Wheeler of Sioux on April 13, 2017
 H-1336 filed by Nielsen of Johnson on April 13, 2017.
 H-1342 to H-1335 filed by Wheeler of Sioux on April 13, 2017.
 H-1343 filed by Mascher of Johnson on April 13, 2017.
 H-1344 filed by Mascher of Johnson on April 14, 2017.
 H-1345 filed by Steckman of Cerro Gordo on April 14, 2017.
 H-1346 filed by R. Smith of Black Hawk on April 14, 2017.
 H-1347 filed by Hanson of Jefferson on April 14, 2017.
 H-1348 to H-1335 filed by Steckman of Cerro Gordo on April 14, 2017.
 H-1349 to H-1335 filed by Steckman of Cerro Gordo on April 14, 2017.
 H-1350 to H-1335 filed by Steckman of Cerro Gordo, et al., on April 14, 2017.
 H-1351 filed by Mascher of Johnson on April 14, 2017.
 H-1366 to H-1335 filed by R. Taylor of Dallas on April 17, 2017.
 H-1385 to H-1335 filed by Wheeler of Sioux on April 18, 2017.
 H-1390 filed by Running-Marquardt of Linn on April 18, 2017.
 H-1437 filed by Hinson of Linn and Running-Marquardt of Linn on April 20, 2017.
 H-1450 filed by Nielsen of Johnson, et al., on April 21, 2017.

Wheeler of Sioux moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 475)

The ayes were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 5:

Bennett	Hager	Highfill	Rizer
Smith, R.			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 475, 2241, 2293 and 2347.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bennett of Linn	Hager of Allamakee
Highfill of Polk	Nunn of Polk
Paustian of Scott	Rizer of Linn
Smith, R. of Black Hawk	

BILLS PLACED ON THE
UNFINISHED BUSINESS CALENDAR

Hagenow of Polk asked and received unanimous consent that the following bills be placed on the unfinished business calendar.

Senate Joint Resolution 2006

Senate File 359	Senate File 361
Senate File 385	Senate File 415
Senate File 449	Senate File 481
Senate File 2155	Senate File 2165
Senate File 2175	Senate File 2203
Senate File 2226	Senate File 2227
Senate File 2229	Senate File 2298
Senate File 2299	Senate File 2306
Senate File 2311	Senate File 2318
Senate File 2321	Senate File 2322
Senate File 2324	Senate File 2330
Senate File 2353	Senate File 2360
Senate File 2365	Senate File 2382

EXPLANATION OF VOTE

On March 22, 2018, I inadvertently voted “aye” on amendment H-8145, to the committee amendment H-8001, (S.F. 475) I meant to vote “nay”.

Kurth of Scott

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 682 Appropriations

Concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 681

Appropriations: R. Taylor, Chair; Deyoe and Winckler.

House Study Bill 682

Appropriations: Hinson, Chair; Landon and T. Taylor.

RESOLUTION FILED

H.R. 109, by Nunn, Watts, Dolecheck, Rogers, McKean, Fisher, Holz, Kressig, Sheets, Moore, Jones, R. Taylor, Deyoe, Gassman, Zumbach, Breckenridge, Isenhardt, Gustafson, Staed, Holt, Olson, Upmeyer, Jacoby, Salmon, Landon, Sexton, Ourth, Huseman, Fry, Jacobsen, Lundgren, Abdul-Samad, Wheeler, Meyer, Hagenow, Koester, Mommsen, Bacon, Bergan, Gaskill, Best, Kurth, and Highfill, a resolution to recognize and honor Officers Susan Farrell and Carlos Puente-Morales posthumously for their service to this state.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8310	H.F.	2475	Pettengill of Benton
H-8311	S.F.	2318	Gassman of Winnebago

On motion by Hagenow of Polk, the House adjourned at 1:05 p.m., until 10:00 a.m., Friday, March 23, 2018.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day - Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 23, 2018

The House met pursuant to adjournment at 10:02 a.m., Hagenow of Polk in the chair.

Prayer was offered by Hagenow of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hagenow of Polk.

The Journal of Thursday, March 22, 2018, was approved.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT OF CULTURAL AFFAIRS

Art in State Buildings Report, pursuant to Iowa Code section 304A.10.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3.

DEPARTMENT OF NATURAL RESOURCES

Resources Enhancement and Protection Recommendations Report, pursuant to Iowa Code section 455A.17.

DEPARTMENT OF WORKFORCE DEVELOPMENT

Unemployment Compensation Trust Fund Report, pursuant to Iowa Code section 96.35.

AMENDMENT FILED

H-8312 S.J.R. 2006 Steckman of Cerro Gordo

On motion by Pettengill of Benton, the House adjourned at 10:03 a.m., until 1:00 p.m., Monday, March 26, 2018.

JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 26, 2018

The House met pursuant to adjournment at 1:05 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Dave Martin, Faith Church, Marshalltown. He was the guest of Gaines of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rhonda Osborn, fourth grade teacher and students from Des Moines Christian in Urbandale. They were the guests of Hagenow of Polk.

The Journal of Friday, March 23, 2018, was approved.

ADOPTION OF HOUSE RESOLUTION 108

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **House Resolution 108**, a resolution recognizing the life and work of musician and radio broadcaster Bob Dorr.

Ourth of Warren moved the adoption of House Resolution 108.

The motion prevailed and the resolution was adopted.

On motion by Hagenow of Polk, the House was recessed at 1:15 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:40 p.m., Wills of Dickinson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2195, a bill for an act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2200, a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships.

Also: That the Senate has on March 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2239, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

Also: That the Senate has on March 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2256, a bill for an act relating to the submission of certain reports by the department of transportation and county engineers.

Also: That the Senate has on March 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2300, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations and including effective date provisions.

Also: That the Senate has on March 26, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2338, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

Also: That the Senate has on March 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2390, a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages.

Also: That the Senate has on March 26, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2439, a bill for an act relating to horse racing regulated by the racing and gaming commission.

Also: That the Senate has on March 26, 2018, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2364, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 2226, a bill for an act relating to formatting requirements for groundwater hazard statements recorded with a county recording office, with report of committee recommending passage, was taken up for consideration.

Bloomington of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2226)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn

Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Wills, Presiding	

The nays were, none.

Absent or not voting, 1:

Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2203, a bill for an act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course, with report of committee recommending passage, was taken up for consideration.

Salmon of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2203)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr

Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Wills,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2165, a bill for an act concerning payments under the crime victim compensation program, with report of committee recommending passage, was taken up for consideration.

Bossman of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2165)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr

Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Wills,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2165, 2203 and 2226.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hager of Allamakee

AMENDMENTS FILED

H-8313	S.F.	359	Rizer of Linn
H-8314	H.F.	2234	McKean of Jones
H-8315	H.F.	2338	Senate amendment
H-8316	S.F.	2169	Baudler of Adair
H-8317	S.F.	2364	Senate amendment
H-8318	S.F.	2353	Running-Marquardt of Linn
H-8319	S.F.	481	Holt of Crawford
H-8320	S.F.	2235	Worthan of Buena Vista
H-8321	S.F.	481	Isenhardt of Dubuque

On motion by Hagenow of Polk, the House adjourned at 3:59 p.m., until 8:30 a.m., Tuesday, March 27, 2018.

JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fifty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 27, 2018

The House met pursuant to adjournment at 8:36 a.m., Windschitl of Harrison in the chair.

Prayer was offered by Rabbi Yossi Jacobson, Director of Lubavitch of Iowa Jewish Resource Center, Des Moines. He was the guest of Jacobsen of Pottawattamie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hannah Brown, Page from Lenox.

The Journal of Monday, March 26, 2018, was approved.

SPECIAL PRESENTATION

Wheeler of Sioux introduced to the House, the Orange City Tulip Festival Queen and her court.

The House rose and expressed its welcome.

ADOPTION OF HOUSE RESOLUTION 109

Hagenow of Polk called up for consideration **House Resolution 109**, a resolution to recognize and honor Officers Susan Farrell and Carlos Puente-Morales posthumously for their service to this state.

Nunn of Polk moved the adoption of House Resolution 109.

The motion prevailed and the resolution was adopted.

On motion by Hagenow of Polk, the House was recessed at 8:47 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:36 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 27, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2233, a bill for an act relating to mechanics' liens, public construction liens, and the early release of retained funds.

Also: That the Senate has on March 27, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2253, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions.

Also: That the Senate has on March 27, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2254, a bill for an act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

Also: That the Senate has on March 27, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2297, a bill for an act relating to boiler and unfired steam pressure vessel inspections.

Also: That the Senate has on March 27, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2382, a bill for an act relating to the composition of the engineering and land surveying examining board.

Also: That the Senate has on March 27, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2402, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney.

Also: That the Senate has on March 27, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2347, a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

Also: That the Senate has on March 27, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2349, a bill for an act relating to health plans established by associations of employers or sponsored by certain agricultural organizations.

Also: That the Senate has on March 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2388, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

Also: That the Senate has on March 27, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2389, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

W. CHARLES SMITHSON, Secretary

SENATE MESSAGES CONSIDERATION

Senate File 2388, by committee on Ways and Means, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

Senate File 2389, by committee on Ways and Means, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

Read first time and **passed on file**.

CONSIDERATION OF BILLS
Unfinished Business Calendar

House File 2394, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties, was taken up for consideration.

Worthan of Buena Vista asked and received unanimous consent to withdraw amendment H-8054 filed by him on February 20, 2018.

Worthan of Buena Vista offered amendment H-8089 filed by him and moved its adoption.

Amendment H-8089 was adopted, placing out of order amendments H-8254, H-8255 and H-8256 filed by Olson of Polk on March 12, 2018.

SENATE FILE 2235 SUBSTITUTED FOR HOUSE FILE 2394

Worthan of Buena Vista asked and received unanimous consent to substitute Senate File 2235 for House File 2394.

Senate File 2235, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties, was taken up for consideration.

Worthan of Buena Vista offered amendment H-8320 filed by him.

Olson of Polk offered amendment H-8326, to amendment H-8320, filed by him from the floor and moved its adoption.

Amendment H-8326, to amendment H-8320, lost.

Olson of Polk offered amendment H-8327, to amendment H-8320, filed by him from the floor and moved its adoption.

Amendment H-8327, to amendment H-8320, lost.

Olson of Polk offered amendment H-8328, to amendment H-8320, filed by him from the floor and moved its adoption.

Roll call was requested by Olson of Polk and Meyer of Polk.

On the question "Shall amendment H-8328, to amendment H-8320, be adopted?" (S.F. 2235)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Bloomingtondale	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Forbes	Gaines	Gaskill
Hall	Heddens	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baxter	Bergan
Best	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 1:

Baudler

Amendment H-8328, to amendment H-8320, lost.

Worthan of Buena Vista moved the adoption of amendment H-8320.

Amendment H-8320 was adopted, placing out of order amendments H-8108 filed by Worthan of Buena Vista on February 26, 2018, H-8189, H-8190 and H-8191 filed by Olson of Polk on March 6, 2018.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2235)

The ayes were, 69:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossmann	Breckenridge	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kacena
Kaufmann	Kerr	Klein	Koester
Kressig	Landon	Lundgren	Maxwell
McConkey	McKean	Miller, P.	Mohr
Mommsen	Moore	Nunn	Ourth
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Smith, M.	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Windschitl, Presiding			

The nays were, 31:

Abdul-Samad	Anderson	Bennett	Brown-Powers
Cohoon	Finkenauer	Gaines	Heddens
Hunter	Isenhardt	Jacoby	Kearns
Kurth	Lensing	Mascher	Meyer
Miller, H.	Nielsen	Oldson	Olson
Prichard	Running-Marquardt	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe	Zumbach	

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2155, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions, with report of committee recommending amendment and passage, was taken up for consideration.

Bergan of Winneshiek offered amendment H-8195 filed by the committee on State Government and moved its adoption.

The committee amendment H-8195 was adopted.

Bergan of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2155)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2318, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction, with report of committee recommending passage, was taken up for consideration.

Gassman of Winnebago offered amendment H-8311 filed by him.

Gassman of Winnebago offered amendment H-8322, to amendment H-8311, filed by him from the floor and moved its adoption.

Amendment H-8322, to amendment H-8311, was adopted.

Gassman of Winnebago moved the adoption of amendment H-8311, as amended.

Amendment H-8311, as amended, was adopted.

Gassman of Winnebago moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2318)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed

Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 1:

Baltimore

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2229, a bill for an act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor, with report of committee recommending passage, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2229)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cphoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets

Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 1:

Baltimore

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2155, 2229, 2235 and 2318.**

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2394 from further consideration by the House.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 27th day of March, 2018: House File 2125, 2232, 2235, 2285, 2305, 2309, 2318, 2343, 2348, 2354, 2356, 2365, 2370, 2383, 2422, 2449, 2451 and 2456.

CARMINE BOAL
Chief Clerk of the House

**BILL ENROLLED, SIGNED AND SENT TO
SECRETARY OF STATE**

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following joint resolution has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Secretary of State for approval on this 27th day of March, 2018: House Joint Resolution 2009.

CARMINE BOAL
Chief Clerk of the House

SUBCOMMITTEE ASSIGNMENT

House File 2313

Ways and Means: Mohr, Chair; Bergan and Jacoby.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 673), amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 27, 2018.

AMENDMENTS FILED

H-8322	S.F.	2318	Gassman of Winnebago
H-8323	H.F.	2297	Senate amendment
H-8324	H.F.	2234	Wolfe of Clinton
H-8325	S.F.	2353	Klein of Washington
H-8326	S.F.	2235	Olson of Polk
H-8327	S.F.	2235	Olson of Polk

H-8328	S.F.	2235	Olson of Polk
H-8329	H.F.	2234	McConkey of Pottawattamie
H-8330	S.F.	2311	Isenhart of Dubuque
H-8331	S.F.	2311	Isenhart of Dubuque
H-8332	H.F.	2233	Senate amendment
H-8333	H.F.	2253	Senate amendment
H-8334	S.F.	2311	Isenhart of Dubuque
H-8335	H.F.	619	Maxwell of Poweshiek
H-8336	S.F.	481	Holt of Crawford
H-8337	H.F.	2392	Heartsill of Marion

On motion by Hagenow of Polk, the House adjourned at 4:17 p.m., until 8:30 a.m., Wednesday, March 28, 2018.

JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 28, 2018

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Jaapher Abdul Hamed, Imam of Muslin Community Organization, Des Moines. He was the guest of Anderson of Polk and Abdul-Samad of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Clare Alden, Colton Miller and Annabelle Bissonnette from Ankeny. They are the grandchildren of P. Miller of Jefferson.

The Journal of Tuesday, March 27, 2018, was approved.

On motion by Hagenow of Polk, the House was recessed at 8:44 a.m., until 10:30 a.m.

MORNING SESSION

The House reconvened at 10:54 a.m., Hager of Allamakee in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 449, a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Sieck of Mills offered amendment H-8039 filed by the committee on Transportation and moved its adoption.

The committee amendment H-8039 was adopted.

Sieck of Mills moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 449)

The ayes were, 97:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Hager, Presiding			

The nays were, 3:

Anderson	Jacoby	Wills
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Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Windschitl of Harrison in the chair at 11:05 a.m.

Senate File 2175, a bill for an act relating to partition of property in kind and partition of property by sale, with report of committee recommending passage, was taken up for consideration.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2175)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cphoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, 1:

Baltimore

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED
House Concurred

Nunn of Polk called up for consideration **Senate File 2177**, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8297, to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8297, to the House amendment.

Nunn of Polk moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2177)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Wills of Dickinson called up for consideration **House File 2407**, a bill for an act relating to the application of pesticides into lakes, and providing penalties, amended by the Senate, and moved that the House concur in the Senate amendment H-8286.

The motion prevailed and the House concurred in the Senate amendment H-8286.

Wills of Dickinson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2407)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.

Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Landon of Polk called up for consideration **House File 2253**, a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8333.

The motion prevailed and the House concurred in the Senate amendment H-8333.

Landon of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2253)

The ayes were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.

Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Wheeler of Sioux called up for consideration **Senate File 2364**, a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8317, to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8317, to the House amendment.

Wheeler of Sioux moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2364)

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2253, 2407** and **Senate Files 449, 2175, 2177** and **2364**.

SPECIAL PRESENTATION

Wills of Dickinson introduced to the House, former legislator Mike May.

The House rose and expressed its welcome.

SPONSOR ADDED

House Resolution 109 – Heartsill of Marion

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 28, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2125, an Act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

House File 2232, an Act relating to mortgage releases.

House File 2235, an Act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

House File 2309, an Act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

House File 2318, an Act relating to redemption by certain persons of parcels sold at tax sale.

House File 2343, an Act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without clear authorization.

House File 2348, an Act relating to nonsubstantive Code corrections.

House File 2354, an Act relating to student personal information protection.

House File 2356, an Act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

House File 2365, an Act relating to conservation and recreation policies and programs within the department of natural resources.

House File 2370, an Act relating to the provision of information regarding postadoption services to all adoptive families.

House File 2383, an Act relating to private employer alcohol testing policies.

House File 2422, an Act providing for the management of weeds, including noxious weeds, and making penalties applicable.

House File 2449, an Act relating to the substitute decision maker Act.

House File 2451, an Act relating to the programs and services under the purview of the department on aging.

Senate File 2098, an Act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Senate File 2117, an Act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

Senate File 2131, an Act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, directing the area education agencies to convene an online learning working group, and including effective date provisions.

Senate File 2139, an Act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

Senate File 2201, an Act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Senate File 2255, an Act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

Senate File 2290, an Act relating to boards of trustees for county and city hospitals.

Senate File 2325, an Act relating to the notation of discharges of motor vehicle security interests.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 683 Ways and Means

Excluding entities under the control of an institution of higher learning governed by the state board of regents from the sales tax exemption for sales where the profits are used by or donated to certain nonprofit entities for educational, religious, or charitable purposes.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2454), establishing a process for voter approval of a proposition to require a township to provide emergency medical service.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 28, 2018.

RESOLUTION FILED

H.R. 110, by Gaines and Olson, a resolution congratulating the Grand View University Vikings wrestling team on winning the National Association of Intercollegiate Athletics Wrestling National Championship for the seventh consecutive year.

Laid over under **Rule 25**.

On motion by Hagenow of Polk, the House adjourned at 11:22 a.m., until 8:30 a.m., Thursday, March 29, 2018.

JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 29, 2018

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Kerry Jech, New Hope Christian Church, Marshalltown. He was the guest of Fisher of Tama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Paul Attema, Page from Pella.

The Journal of Wednesday, March 28, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 28, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2281, a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions.

Also: That the Senate has on March 28, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2304, a bill for an act relating to motor vehicles approaching certain stationary motor vehicles, and providing penalties.

Also: That the Senate has on March 28, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2321, a bill for an act relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

Also: That the Senate has on March 28, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2340, a bill for an act relating to controversies involving fence viewers.

Also: That the Senate has on March 28, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2420, a bill for an act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service.

Also: That the Senate has on March 28, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2425, a bill for an act establishing a physical therapy licensure compact.

Also: That the Senate has on March 28, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2441, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions.

Also: That the Senate has on March 28, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 192, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

Also: That the Senate has on March 28, 2018, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2099, a bill for an act relating to probate and the administration of small estates and including applicability provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILL

House File 2478, by committee on Ways and Means, a bill for an act amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction.

Read first time and placed on the **Ways and Means calendar**.

On motion by Hagenow of Polk, the House was recessed at 8:37 a.m., until 10:00 a.m.

MORNING SESSION

The House reconvened at 10:59 a.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILLS
Unfinished Business Calendar

Senate File 2321, a bill for an act relating to persons going armed with portable devices or weapons that direct an electronic current, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2321)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Speaker Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanusa Nunn Sieck

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2360, a bill for an act providing for a dyslexia response task force and report, with report of committee recommending amendment and passage, was taken up for consideration.

Salmon of Black Hawk offered amendment H-8271 filed by the committee on Education and moved its adoption.

The committee amendment H-8271 was adopted.

Salmon of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2360)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.

Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Speaker Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanusa	Nunn	Sieck
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

House File 2475, a bill for an act relating to governmental ethics and the regulation of lobbyists and gifts, was taken up for consideration.

Pettengill of Benton offered amendment H-8310 filed by her and moved its adoption.

Amendment H-8310 was adopted.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2475)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren

Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanusa	Nunn	Sieck
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2477, a bill for an act relating to disclosures of information to the auditor of state, was taken up for consideration.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2477)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr

Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Speaker Upmeyer			

The nays were, none.

Absent or not voting, 3:

Hanusa	Nunn	Sieck
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2475, 2477** and **Senate Files 2360** and **2321**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanusa of Pottawattamie	Nunn of Polk
Sieck of Mills	

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2285, an Act relating to supplemental reimbursement for eligible ground emergency medical transportation providers through the Medicaid program, and including effective date provisions.

House File 2305, an Act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions.

House File 2456, an Act relating to behavioral health, including provisions relating to involuntary commitments and hospitalizations, the disclosure of mental health information to law enforcement professionals, and mental health and disability services.

Senate File 360, an Act relating to the newborn safe haven Act.

Senate File 2113, an Act requiring school employee training and protocols relating to suicide prevention and the identification of adverse childhood experiences and strategies to mitigate toxic stress response.

Senate File 2228, an Act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

Senate File 2289, an Act relating to the joint exercise of government powers by federally recognized Indian tribes.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

BOARD OF REGENTS

Span of Control Policy Report, pursuant to Iowa Code section 262.9C.

DEPARTMENT OF CULTURAL AFFAIRS

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Judicial Review Report, pursuant to Iowa Code section 625.29.

STATE PUBLIC DEFENDER

Indigent Defense System Report, pursuant to Iowa Code section 13B.2A.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 684 Appropriations

Relating to the state general fund expenditure limitation, creating a revenue estimating stabilization fund, and making appropriations.

SUBCOMMITTEE ASSIGNMENT

House File 2313

Ways and Means: Mohr, Chair; Bergan and Jacoby.

AMENDMENTS FILED

H-8338	S.F.	2099	Senate amendment
H-8339	H.F.	2441	Senate amendment

On motion by Hagenow of Polk, the House adjourned at 11:27 a.m., until 10:00 a.m., Friday, March 30, 2018.

JOURNAL OF THE HOUSE

Eighty-second Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 30, 2018

The House met pursuant to adjournment at 10:04 a.m., Koester of Polk in the chair.

Prayer was offered by Koester of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kendra Simmons, Olivia Carmona, Trent Jacobs, Emma Wendel and other students from Southeast Elementary School in Ankeny. They were the guests of Koester of Polk.

The Journal of Thursday, March 29, 2018, was approved.

On motion by Pettengill of Benton, the House adjourned at 10:07 a.m., until 1:00 p.m., Monday, April 2, 2018.

JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 2, 2018

The House met pursuant to adjournment at 1:00 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Dave Woodcock, New Journey Church, Knoxville. He was the guest of Heartsill of Marion.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jordan Dusenberry from Wilton. He was the guest of Speaker Upmeyer.

The Journal of Friday, March 30, 2018, was approved.

INTRODUCTION OF BILL

House File 2479, by committee on Ways and Means, a bill for an act establishing processes for voter approval of a proposition to require a township to provide emergency medical service and for voter approval of a higher additional annual property tax levy rate for the provision of township services.

Read first time and placed on the **Ways and Means calendar**.

On motion by Hagenow of Polk, the House was recessed at 1:07 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:12 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 2, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2349, a bill for an act relating to persons voluntarily excluded from gambling facilities.

Also: That the Senate has on April 2, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2379, a bill for an act relating to municipal utility retirement systems.

Also: That the Senate has on April 2, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2464, a bill for an act relating to the level of fees imposed pursuant to the land recycling program.

Also: That the Senate has on April 2, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 449, a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions.

Also: That the Senate has on April 2, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 475, a bill for an act relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions.

Also: That the Senate has on April 2, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2155, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

Also: That the Senate has on April 2, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2200, a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable.

Also: That the Senate has on April 2, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2318, a bill for an act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILL Unfinished Business Calendar

House File 2391, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries, was taken up for consideration.

Best of Carroll offered amendment H-8180 filed by him and moved its adoption.

Amendment H-8180 was adopted, placing out of order amendment H-8074 filed by Fisher of Tama on February 21, 2018.

SENATE FILE 2169 SUBSTITUTED FOR HOUSE FILE 2391

Best of Carroll asked and received unanimous consent to substitute Senate File 2169 for House File 2391.

Senate File 2169, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries, was taken up for consideration.

Kressig of Black Hawk asked and received unanimous consent to withdraw amendment H-8175 filed by him on March 5, 2018.

Baudler of Adair offered amendment H-8343 filed by him.

Best of Carroll rose on a point of order that amendment H-8343 was not germane.

The Speaker ruled the point well taken and amendment H-8343 not germane.

Fisher of Tama asked and received unanimous consent to withdraw amendment H-8184 filed by him on March 6, 2018, placing out of order

amendment H-8223, to amendment H-8184, filed by Meyer of Polk on March 7, 2018.

Best of Carroll offered amendment H-8341 filed by him and McKean of Jones from the floor and moved its adoption.

Amendment H-8341 was adopted.

McConkey of Pottawattamie asked and received unanimous consent to withdraw amendment H-8176 filed by him on March 5, 2018.

Meyer of Polk asked and received unanimous consent to withdraw amendment H-8188 filed by him on March 6, 2018.

Baudler of Adair asked and received unanimous consent to withdraw amendment H-8218 filed by him on March 7, 2018.

Meyer of Polk asked and received unanimous consent to withdraw amendment H-8222 filed by him on March 7, 2018.

Baudler of Adair asked and received unanimous consent to withdraw amendment H-8316 filed by him on March 26, 2018.

Best of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2169)

The ayes were, 61:

Bacon	Baxter	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jones	Kacena	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McConkey	McKean	Miller, P.
Mohr	Mommsen	Moore	Nunn
Ourth	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden

Wheeler Windschitl, Presiding	Wills	Worthan	Zumbach
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The nays were, 36:

Abdul-Samad	Anderson	Baltimore	Baudler
Bearinger	Bennett	Brown-Powers	Cohon
Finkenauer	Gaines	Gaskill	Hager
Hunter	Isenhardt	Jacobsen	Jacoby
Kearns	Kressig	Kurth	Lensing
Mascher	Meyer	Miller, H.	Nielsen
Oldson	Olson	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Wolfe

Absent or not voting, 3:

Heddens	Watts	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILL

House File 2480, by committee on Appropriations, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Read first time and placed on the **Appropriations calendar**.

SENATE AMENDMENTS CONSIDERED House Concurred

Heartsill of Marion called up for consideration **House File 2392**, a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications, amended by the Senate amendment H-8299.

Heartsill of Marion asked and received unanimous consent to withdraw amendment H-8337, to the Senate amendment H-8299, filed by him on March 27, 2018.

Heartsill of Marion moved that the House concur in the Senate amendment H-8299.

The motion prevailed and the House concurred in the Senate amendment H-8299.

Heartsill of Marion moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2392)

The ayes were, 60:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingdale
Bossman	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	Meyer	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Smith, M.	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 38:

Abdul-Samad	Anderson	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heaton
Hunter	Isenhart	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	McKean	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Wolfe		

Absent or not voting, 2:

Heddens	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Deyoe of Story called up for consideration **House File 2297**, a bill for an act relating to boiler and unfired steam pressure vessel inspections, amended by the Senate, and moved that the House concur in the Senate amendment H-8323.

The motion prevailed and the House concurred in the Senate amendment H-8323.

Deyoe of Story moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2297)

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Best	Bloomington	Bosman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Bergan	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Forbes	Gaines	Gaskill
Hall	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson

Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Wolfe

Absent or not voting, 2:

Heddens	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Heddens of Story	Watts of Dallas
Winckler of Scott	

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2297 and 2392** and **Senate File 2169**.

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2391 from further consideration by the House.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 2nd day of April, 2018: House Files 2195, 2300 and 2458.

CARMINE BOAL
Chief Clerk of the House

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 2, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2195, an Act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions.

House File 2300, an Act relating to the practice of certain professions and limited liability companies and professional corporations and including effective date provisions.

Senate File 2114, an Act relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

Senate File 2231, an Act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

Senate File 2256, an Act relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

Senate File 2310, an Act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Senate File 2323, an Act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

Senate File 2334, an Act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

Senate File 2349, an Act relating to health plans established by associations of employers or sponsored by certain agricultural organizations.

Senate File 2366, an Act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

SUBCOMMITTEE ASSIGNMENT

Senate File 2388

Ways and Means: Baltimore, Chair; Rizer and Wolfe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 683

Ways and Means: Kaufmann, Chair; Jacoby and Pettengill.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 682), concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Fiscal Note: **No**

Recommendation: **Do Pass** April 2, 2018.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2438), relating to the collection of sales tax for deposit in the secure an advanced vision for education fund and to the use of tax revenue from the secure an advanced vision for education fund.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 2, 2018.

AMENDMENTS FILED

H-8340	S.F.	2311	Carlson of Muscatine
H-8341	S.F.	2169	Best of Carroll McKean of Jones
H-8342	S.F.	2311	Kressig of Black Hawk
H-8343	S.F.	2169	Baudler of Adair

On motion by Hagenow of Polk, the House adjourned at 6:31 p.m., until 8:30 a.m., Tuesday, April 3, 2018.

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 3, 2018

The House met pursuant to adjournment at 8:31 a.m., Sexton of Calhoun in the chair.

Prayer was offered by Pastor Monte Knudsen, Faith Christian Outreach Church, Mount Pleasant. He was the guest of Kerr of Louisa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Giorgio Rossi, Page from Des Moines.

The Journal of Monday, April 2, 2018, was approved.

ADOPTION OF HOUSE RESOLUTION 110

Jones of Clay called up for consideration **House Resolution 110**, a resolution congratulating the Grand View University Vikings wrestling team on winning the National Association of Intercollegiate Athletics Wrestling National Championship for the seventh consecutive year.

Jones of Clay moved the adoption of House Resolution 110.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 11:52 a.m., Speaker Upmeyer in the chair.

SENATE AMENDMENTS CONSIDERED

House Concurred

McKean of Jones called up for consideration **House File 2233**, a bill for an act relating to mechanics' liens and public construction liens, amended by the Senate, and moved that the House concur in the Senate amendment H-8332.

The motion prevailed and the House concurred in the Senate amendment H-8332.

McKean of Jones moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2233)

The ayes were, 69:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingle	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McConkey	McKean	Miller, H.
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Staed	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Speaker Upmeyer			

The nays were, 29:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Heddens
Hunter	Isenhardt	Kressig	Kurth
Lensing	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Smith, M.
Smith, R.	Steckman	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 2:

Mascher Meyer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Koester of Polk called up for consideration **House File 2441**, a bill for an act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8339.

The motion prevailed and the House concurred in the Senate amendment H-8339.

Koester of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2441)

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Meyer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILL
Unfinished Business Calendar

Senate File 481, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities, with report of committee recommending amendment and passage, was taken up for consideration.

Holt of Crawford offered amendment H-8202 filed by the committee on Public Safety.

Holt of Crawford offered amendment H-8319, to the committee amendment H-8202, filed by him and moved its adoption.

Amendment H-8319, to the committee amendment H-8202, was adopted.

Breckenridge of Jasper offered amendment H-8240, to the committee amendment H-8202, filed by him.

Holt of Crawford rose on a point of order that amendment H-8240 was not germane, to the committee amendment H-8202.

The Speaker ruled the point well taken and amendment H-8240 not germane, to the committee amendment H-8202.

Breckenridge of Jasper asked for unanimous consent to suspend the rules to consider amendment H-8240, to the committee amendment H-8202.

Objection was raised.

Breckenridge of Jasper moved to suspend the rules to consider amendment H-8240, to the committee amendment H-8202.

Roll call was requested by Breckenridge of Jasper and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8240, to the committee amendment H-8202?" (S.F. 481)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Vander Linden
Watts	Wheeler	Wills	Windschitl
Worthan	Zumbach	Speaker	
		Upmeyer	

Absent or not voting, 1:

Meyer

The motion to suspend the rules lost.

Holt of Crawford moved the adoption of the committee amendment H-8202, as amended.

The committee amendment H-8202, as amended, was adopted.

Holt of Crawford offered amendment H-8336 filed by him and moved its adoption.

Amendment H-8336 was adopted.

Breckenridge of Jasper asked and received unanimous consent to withdraw amendment H-8321 filed by Isenhart of Dubuque on March 26, 2018.

Abdul-Samad of Polk asked and received unanimous consent to withdraw amendment H-8347 filed by him from the floor.

Wheeler of Sioux rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Hagenow of Polk asked and received unanimous consent that Senate File 481 be deferred and that the bill retain its place on the calendar.

On motion by Hagenow of Polk, the House was recessed at 12:53 p.m., until the conclusion of the committee on Ways and Means and the committee on Appropriations.

AFTERNOON SESSION

The House reconvened at 2:28 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 3, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2258, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

Also: That the Senate has on April 3, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2277, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist or a county registrar.

Also: That the Senate has on April 3, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2404, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim.

Also: That the Senate has on April 3, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2427, a bill for an act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions.

Also: That the Senate has on April 3, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2445, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services.

Also: That the Senate has on April 3, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2467, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds.

Also: That the Senate has on April 3, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2235, a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties.

Also: That the Senate has on April 3, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2360, a bill for an act providing for a dyslexia response task force and report.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILL
Unfinished Business Calendar

The House resumed consideration of **Senate File 481**, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities, previously deferred.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

SPECIAL PRESENTATION

M. Smith of Marshall introduced to the House, former legislator Swati Dandekar.

The House rose and expressed its welcome.

Hall of Woodbury rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

M. Smith of Marshall rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Staed of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Holt of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 481)

The ayes were, 55:

Bacon	Baltimore	Baudler	Baxter
Best	Bloomington	Bosman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Kaufmann
Kerr	Klein	Landon	Lundgren
Maxwell	McConkey	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Zumbach	Windschitl,	
		Presiding	

The nays were, 45:

Abdul-Samad	Anderson	Bearinger	Bennett
Bergan	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Forbes	Gaines	Gaskill
Hall	Heaton	Heddens	Hunter
Isenhardt	Jacoby	Jones	Kacena
Kearns	Koester	Kressig	Kurth
Lensing	Mascher	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe
Worthan			

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILL

House File 2481, by committee on Ways and Means, a bill for an act relating to school funding by modifying provisions relating to the collection of sales tax for deposit in the secure an advanced vision for education fund, provisions relating to the use of tax revenue from the secure an advanced vision for education fund, and provisions relating

to the calculation of adjusted additional property tax levy aid, and making appropriations.

Read first time and placed on the **Ways and Means calendar**.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2233, 2441** and **Senate File 481**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Meyer of Polk

EXPLANATIONS OF VOTE

On April 2, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2297 – “nay”
Senate File 2169 – “nay”

House File 2392 – “nay”

Heddens of Story

On April 2, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2297 – “nay”
Senate File 2169 – “nay”

House File 2392 – “nay”

Winckler of Scott

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for

approval on this 3rd day of April, 2018: House Files 2200, 2239, 2253, 2254, 2256, 2281, 2304, 2321, 2340, 2382, 2390, 2402, 2407, 2420 and 2439.

CARMINE BOAL
Chief Clerk of the House

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 3, 2018, the following bill was approved and transmitted to the Secretary of State:

House File 2458, an Act creating a future ready Iowa Act to strengthen workforce development by establishing a registered apprenticeship development program, a volunteer mentoring program, a summer youth intern program, summer postsecondary courses for high school students that are aligned with high-demand career pathways, an employer innovation fund, and future ready Iowa skilled workforce scholarship and grant programs and funds, and including effective date provisions.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 685 Government Oversight

Authorizing the state building code advisory council to propose, consider, and approve or disapprove amendments and changes to the state building code.

H.S.B. 686 Government Oversight

Authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 680), relating to programs and activities under the purview of the department of human services.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 3, 2018.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 189), requiring the licensure of flexible credit lenders, and providing criminal and civil penalties.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 3, 2018.

AMENDMENTS FILED

H-8344	S.F.	2311	Watts of Dallas
H-8345	S.F.	2311	Watts of Dallas
H-8346	S.F.	2311	Watts of Dallas
H-8347	S.F.	481	Abdul-Samad of Polk
H-8348	S.F.	2311	Watts of Dallas
H-8349	S.F.	2311	Watts of Dallas
H-8350	S.F.	2311	Carlson of Muscatine
H-8351	H.F.	2258	Senate amendment
H-8352	H.F.	2277	Senate amendment
H-8353	H.F.	2445	Senate amendment
H-8354	H.F.	2467	Senate amendment
H-8355	S.F.	2311	Watts of Dallas
H-8356	S.F.	2311	Watts of Dallas
H-8357	S.F.	2311	Watts of Dallas
H-8358	S.F.	2311	Watts of Dallas
H-8359	S.F.	2311	Carlson of Muscatine

On motion by Hagenow of Polk, the House adjourned at 5:59 p.m., until 8:30 a.m., Wednesday, April 4, 2018.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 4, 2018

The House met pursuant to adjournment at 8:33 a.m., Fisher of Tama in the chair.

Prayer was offered by Pastor Marcy Campbell, First Presbyterian Church, Ottumwa. She was the guest of Gaskill of Wapello.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bailey Veatch, Page from Ottumwa.

The Journal of Tuesday, April 3, 2018, was approved.

On motion by Klein of Washington, the House was recessed at 8:40 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:15 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 637, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council.

Also: That the Senate has on April 4, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2442, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Also: That the Senate has on April 4, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2391, a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

Also: That the Senate has on April 4, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2398, a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILL Unfinished Business Calendar

House File 2270, a bill for an act relating to kidnapping in the second degree, and providing penalties, was taken up for consideration.

SENATE FILE 2230 SUBSTITUTED FOR HOUSE FILE 2270

Paustian of Scott asked and received unanimous consent to substitute Senate File 2230 for House File 2270.

Senate File 2230, a bill for an act relating to kidnapping in the second degree, and providing penalties, was taken up for consideration.

Olson of Polk offered amendment H-8360 filed by him from the floor and moved its adoption.

Roll call was requested by Olson of Polk and Prichard of Floyd.

Rule 75 was invoked.

On the question "Shall amendment H-8360 be adopted?" (S.F. 2230)

The ayes were, 47:

Abdul-Samad	Anderson	Baudler	Bearinger
Bennett	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Forbes	Gaines	Gaskill

Hager	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	McKean	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Pettengill	Prichard	Running-Marquardt	Sheets
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 51:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomingtondale	Bossmann	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Gassman	Grassley	Gustafson	Hagenow
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	Mohr	Mommsen
Moore	Nunn	Paustian	Rizer
Rogers	Salmon	Sexton	Sieck
Taylor, R.	Upmeyer, Spkr.	Wheeler	Wills
Worthan	Zumbach	Windschitl,	
		Presiding	

Absent or not voting, 2:

Fry Miller, H.

Amendment H-8360 lost.

Wolfe of Clinton offered amendment H-8361 filed by her.

Paustian of Scott rose on a point of order that amendment H-8361 was not germane.

The Speaker ruled the point well taken and amendment H-8361 not germane.

Wolfe of Clinton asked for unanimous consent to suspend the rules to consider amendment H-8361.

Objection was raised.

Paustian of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2230)

The ayes were, 82:

Bacon	Baltimore	Baxter	Bearinger
Bennett	Bergan	Best	Bloomington
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Huseman
Isenhardt	Jacobsen	Jones	Kacena
Kaufmann	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lundgren
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Taylor, R.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 16:

Abdul-Samad	Anderson	Baudler	Gaines
Hunter	Jacoby	Kearns	Lensing
Mascher	Oldson	Olson	Steckman
Taylor, T.	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 2:

Fry	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED
House Concurred

Lundgren of Dubuque called up for consideration **House File 2234**, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property, amended by the Senate amendment H-8264.

McKean of Jones offered amendment H-8314, to the Senate amendment H-8264, filed by him.

Prichard of Floyd rose on a point of order that amendment H-8314 was not germane, to the Senate amendment H-8264.

The Speaker ruled the point well taken and amendment H-8314 not germane, to the Senate amendment H-8264.

McKean of Jones asked for unanimous consent to suspend the rules to consider amendment H-8314, to the Senate amendment H-8264.

Objection was raised.

McKean of Jones moved to suspend the rules to consider amendment H-8314, to the Senate amendment H-8264.

Roll call was requested by Prichard of Floyd and Jacoby of Johnson.

On the question "Shall the rules be suspended to consider amendment H-8314, to the Senate amendment H-8264?" (H.F. 2234)

The ayes were, 63:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Brown-Powers	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Isenhardt	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Meyer
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets

Sieck	Steckman	Taylor, R.	Upmeyer, Spkr.
Watts	Wheeler	Wills	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 35:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Smith, M.
Smith, R.	Staed	Taylor, T.	Thede
Vander Linden	Wessel-Kroeschell	Winckler	

Absent or not voting, 2:

Fry	Miller, H.
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The motion to suspend the rules prevailed.

McKean of Jones moved the adoption of amendment H-8314, to the Senate amendment H-8264.

Roll call was requested by M. Smith of Marshall and Bearinger of Fayette.

On the question "Shall amendment H-8314, to the Senate amendment H-8264, be adopted?" (S.F. 2234)

The ayes were, 81:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lundgren
Maxwell	McConkey	McKean	Meyer
Mohr	Mommsen	Moore	Nielsen
Nunn	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Staed	Steckman	Taylor, R.

Upmeyer, Spkr. Wills Windschitl, Presiding	Vander Linden Wolfe	Watts Worthan	Wheeler Zumbach
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The nays were, 17:

Abdul-Samad Gaskill Mascher Smith, R. Winckler	Anderson Hunter Miller, P. Taylor, T.	Bennett Isenhart Oldson Thede	Gaines Lensing Prichard Wessel-Kroeschell
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Absent or not voting, 2:

Fry	Miller, H.
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Amendment H-8314, to the Senate amendment H-8264, was adopted.

Wolfe of Clinton offered amendment H-8324, to the Senate amendment H-8264, filed by her.

Lundgren of Dubuque rose on a point of order that amendment H-8324 was not germane, to the Senate amendment H-8264.

The Speaker ruled the point well taken and amendment H-8324 not germane, to the Senate amendment H-8264.

Wolfe of Clinton asked for unanimous consent to suspend the rules to consider amendment H-8324, to the Senate amendment H-8264.

Objection was raised.

Wolfe of Clinton moved to suspend the rules to consider amendment H-8324, to the Senate amendment H-8264.

Roll call was requested by Wolfe of Clinton and Steckman of Cerro Gordo.

On the question "Shall the rules be suspended to consider amendment H-8324, to the Senate amendment H-8264?" (H.F. 2234)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Highfill	Hunter	Huseman
Isenhardt	Jacoby	Kacena	Kearns
Koester	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Jacobsen	Jones	Kaufmann
Kerr	Klein	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 2:

Fry	Miller, H.
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The motion to suspend the rules lost.

McConkey of Pottawattamie offered amendment H-8329, to the Senate amendment H-8264, filed by him and moved its adoption.

Roll call was requested by McConkey of Pottawattamie and M. Smith of Marshall.

On the question "Shall amendment H-8329, to the Senate amendment H-8264, be adopted?" (H.F. 2234)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 2:

Fry Miller, H.

Amendment H-8329, to the Senate amendment H-8264, lost.

Lundgren of Dubuque moved that the House concur in the Senate amendment H-8264, as amended.

Roll call was requested by Breckenridge of Jasper and Isenhart of Dubuque.

On the question "Shall the House concur in the Senate amendment H-8264, as amended" (H.F. 2234)

The ayes were, 89:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lundgren	Maxwell	McConkey
McKean	Meyer	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 9:

Hunter	Lensing	Mascher	Oldson
Olson	Taylor, T.	Thede	Wessel-Kroeschell
Winckler			

Absent or not voting, 2:

Fry	Miller, H.
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The motion prevailed and the House concurred in the Senate amendment H-8264, as amended.

Lundgren of Dubuque moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2234)

The ayes were, 79:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomington	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kerr	Klein	Koester
Kressig	Landon	Lundgren	Maxwell
McKean	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Staed
Steckman	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 19:

Abdul-Samad	Anderson	Gaines	Gaskill
Hunter	Isenhardt	Kearns	Kurth
Lensing	Mascher	McConkey	Meyer
Oldson	Olson	Smith, R.	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	

Absent or not voting, 2:

Fry	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House Concurred

Klein of Washington called up for consideration **House File 2338**, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8315.

The motion prevailed and the House concurred in the Senate amendment H-8315.

INTRODUCTION OF BILLS

House File 2482, by committee on Appropriations, a bill for an act requiring the department of management to establish and operate a searchable internet site containing budget, audit, and financial information of school districts.

Read first time and placed on the **Appropriation calendar**.

House File 2483, by committee on Appropriations, a bill for an act relating to programs and activities under the purview of the department of human services.

Read first time and placed on the **Appropriations calendar**.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2234, 2338** and **Senate File 2230**.

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2270 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Fry of Clarke

Miller, H. of Webster

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 4th day of April, 2018: House File 2425.

CARMINE BOAL
Chief Clerk of the House

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 678

Appropriations: Grassley, Chair; Hall and Highfill.

House Study Bill 684

Appropriations: Hinson, Chair; Hall and Rogers.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 2278), requiring the department of management to establish and operate a searchable internet site containing revenue and expenditure data of school districts.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 3, 2018.

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly House Study Bill 685), authorizing the state building code advisory council to propose, consider, and approve or disapprove amendments and changes to the state building code.

Fiscal Note: **No**

Recommendation: **Do Pass** April 4, 2018.

Committee Bill (Formerly House Study Bill 686), authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

Fiscal Note: **No**

Recommendation: **Do Pass** April 4, 2018.

AMENDMENTS FILED

H-8360	S.F.	2230	Olson of Polk
H-8361	S.F.	2230	Wolfe of Clinton
H-8362	S.F.	359	Rizer of Linn
H-8363	H.F.	2442	Senate amendment
H-8364	H.F.	637	Senate amendment
H-8365	S.F.	2311	Forbes of Polk
H-8366	S.F.	2311	Oldson of Polk
H-8367	S.F.	2311	Forbes of Polk
H-8368	H.F.	2479	Zumbach of Linn
H-8369	S.F.	2227	McKean of Jones

On motion by Hagenow of Polk, the House adjourned at 4:42 p.m., until 8:30 a.m., Thursday, April 5, 2018.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day - Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 5, 2018

The House met pursuant to adjournment at 8:30 a.m., Jones of Clay in the chair.

Prayer was offered by Pastor Terry W. Pollard, New Sharon United Methodist Church, New Sharon. He was the guest of Vander Linden of Mahaska.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Paul Attema, Page from Pella.

The Journal of Wednesday, April 4, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2372, a bill for an act concerning county supervisor representation and districting plans.

Also: That the Senate has on April 4, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 481, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities.

Also: That the Senate has on April 4, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2169, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Also: That the Senate has on April 4, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2394, a bill for an act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations.

W. CHARLES SMITHSON, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2398, by committee on Ways and Means, a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties.

Read first time and referred to committee on **Ways and Means**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2200, an Act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships.

House File 2239, an Act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

House File 2253, an Act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions.

House File 2254, an Act relating to 911 emergency telephone and internet communication systems, making appropriations, and including effective date provisions.

House File 2256, an Act relating to the submission of certain reports by the department of transportation and county engineers.

House File 2281, an Act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions.

House File 2304, an Act relating to motor vehicles approaching certain stationary motor vehicles, and providing penalties.

House File 2321, an Act relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

House File 2340, an Act relating to controversies involving fence viewers.

House File 2382, an Act relating to the composition of the engineering and land surveying examining board.

House File 2390, an Act relating to terminology changes in education-related Iowa Code references to foreign languages.

House File 2402, an Act relating to an agent's termination or suspension of authority for a power of attorney.

House File 2407, an Act relating to the application of pesticides into lakes, and providing penalties.

House File 2420, an Act establishing an Iowa national service corps program administered by the Iowa commission on volunteer service.

House File 2425, an Act establishing a physical therapy licensure compact.

House File 2439, an Act relating to horse racing regulated by the racing and gaming commission.

Senate File 2241, an Act relating to the commission of a parole violation or a criminal offense while on parole.

Senate File 2257, an Act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Senate File 2271, an Act relating to motor carriers, and making penalties applicable.

Senate File 2274, an Act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

Senate File 2333, an Act relating to amusement concessions concerning allowable prizes and including effective date provisions.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT OF EDUCATION

Closing the Achievement Gap Report, pursuant to Iowa Code section 256.9.

OFFICE OF OMBUDSMAN

Annual Report, pursuant to Iowa Code section 2C.18.

RESOLUTIONS FILED

H.R. 111, by Jacoby, Moore, Highfill, Nielsen, Lensing, Mascher, T. Taylor, Kressig, Heaton, Breckenridge, Kacena, Olson, and Kaufmann, a resolution congratulating University of Iowa wrestler Spencer Lee on winning his first National Collegiate Athletic Association wrestling championship title at 125 pounds.

Laid over under **Rule 25**.

H.R. 112, by Jones, Dolecheck, Pettengill, Worthan, Winckler, Upmeyer, Hagenow, Ourth, Staed, McConkey, Steckman, Fry, Fisher, Bergan, Heaton, Kressig, Gaskill, Nunn, Gassman, Moore, Nielsen, McKean, and Gustafson, a resolution celebrating and recognizing the many accomplishments of Dr. Peggy Whitson.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8370 H.F. 2372 Senate amendment

On motion by Hagenow of Polk, the House adjourned at 8:36 a.m., until 1:00 p.m., Monday, April 9, 2018.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 9, 2018

The House met pursuant to adjournment at 1:05 p.m., Gassman of Winnebago in the chair.

Prayer was offered by Pastor Christine Kaplunas, Unity Presbyterian Church, Waterloo. She was the guest of Brown-Powers of Black Hawk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by District Commodore Robert Tippet, Captain Nick Critelli, Lieutenant Renee Thomas, members of the 8th Western Rivers Region Coast Guard Auxiliary District. They were the guests of Jacobsen of Pottawattamie.

The Journal of Thursday, April 5, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2381, a bill for an act relating to the disposition of a child found to have committed a delinquent act.

Also: That the Senate has on April 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2414, a bill for an act relating to the provision of medical support in child support actions, and including effective date provisions.

Also: That the Senate has on April 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2444, a bill for an act relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care.

Also: That the Senate has on April 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2400, a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

Also: That the Senate has on April 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2401, a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House Joint Resolution 2011, by committee on Government Oversight, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

Read first time and placed on the **calendar**.

House File 2484, by committee on Government Oversight, a bill for an act authorizing the state building code advisory council to propose, consider, and approve or disapprove amendments and changes to the state building code.

Read first time and placed on the **calendar**.

House File 2485, by committee on Ways and Means, a bill for an act requiring the licensure of small dollar installment loan businesses, and providing criminal and civil penalties.

Read first time and placed on the **Ways and Means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 2394, by committee on Ways and Means, a bill for an act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines and fines associated with scheduled violations.

Read first time and referred to committee on **Ways and Means**.

Senate File 2400, by committee on Ways and Means, a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

Senate File 2401, by committee on Ways and Means, a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

Read first time and referred to committee on **Ways and Means**.

The House stood at ease at 1:14 p.m., until the fall of the gavel.

The House resumed session at 3:06 p.m., T. Taylor of Linn in the chair.

SENATE AMENDMENTS CONSIDERED House Concurred

Landon of Polk called up for consideration **House File 637**, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council, amended by the Senate, and moved that the House concur in the Senate amendment H-8364.

The motion prevailed and the House concurred in the Senate amendment H-8364.

Landon of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 637)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohon	Cownie

Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Windschitl
Wolfe	Worthan	Zumbach	Taylor, T., Presiding

The nays were, none.

Absent or not voting, 4:

Baltimore	Finkenauer	Taylor, R.	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House Concurred

Koester of Polk called up for consideration **House File 2467**, a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds, amended by the Senate, and moved that the House concur in the Senate amendment H-8354.

The motion prevailed and the House concurred in the Senate amendment H-8354.

Koester of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2467)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossmann	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Windschitl
Wolfe	Worthan	Zumbach	Taylor, T., Presiding

The nays were, none.

Absent or not voting, 4:

Baltimore	Finkenauer	Taylor, R.	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Windschitl of Harrison in the chair at 3:17 p.m.

CONSIDERATION OF BILL
Appropriations Calendar

House File 2480, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes, was taken up for consideration.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2480)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomington	Bosman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Baltimore	Finkenauer	Taylor, R.	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 637, 2467 and 2480.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone
Winckler of Scott

Finkenauer of Dubuque

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 687 Appropriations

Relating to the assessment of an agricultural property offense surcharge on criminal offenses involving crops, livestock, or honey bees, and making an appropriation.

AMENDMENT FILED

H-8371 H.F. 2479 Nielsen of Johnson

On motion by Hagenow of Polk, the House adjourned at 3:23 p.m., until 8:30 a.m., Tuesday, April 10, 2018.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day - Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 10, 2018

The House met pursuant to adjournment at 8:34 a.m., Zumbach of Linn in the chair.

Prayer was offered by Reverend Alejandro Alfaro-Santiz, Trinity Las Americas United Methodist Church, Des Moines. He was the guest of Bennett of Linn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by veterans of southwest Iowa, Ben Wiese, President of Chapter 798, Vietnam Veterans of America and President of the Iowa Veterans Foundation and Brad Powell, past Commander of American Legion Post #2 and past Department Vice Commander of American Legion of Iowa. They were the guests of Jacobsen of Pottawattamie.

The Journal of Monday, April 9, 2018, was approved.

SENATE MESSAGE CONSIDERED

Senate File 2391, by committee on Ways and Means, a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

Read first time and referred to committee on **Ways and Means**.

On motion by Nunn of Polk, the House was recessed at 8:44 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:22 p.m., Finkenauer of Dubuque in the chair.

SENATE AMENDMENTS CONSIDERED
House Concurred

Zumbach of Linn called up for consideration **House File 2277**, a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist or a county registrar, amended by the Senate, and moved that the House concur in the Senate amendment H-8352.

Baudler of Adair rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

The motion prevailed and the House concurred in the Senate amendment H-8352.

Zumbach of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2277)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.

Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Windschitl	Wolfe	Worthan	Zumbach
Finkenauer, Presiding			

The nays were, 1:

Hunter

Absent or not voting, 2:

Pettengill

Winckler

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Jones of Clay called up for consideration **House File 2442**, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions, amended by the Senate amendment H-8363.

Jones of Clay offered amendment H-8375, to the Senate amendment H-8363, filed by her from the floor and moved its adoption.

Amendment H-8375, to the Senate amendment H-8363, was adopted.

Jones of Clay moved that the House concur in the Senate amendment H-8363, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8363, as amended.

Jones of Clay moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2442)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Windschitl
Wolfe	Worthan	Zumbach	Finkenauer, Presiding

The nays were, 2:

Moore Sheets

Absent or not voting, 2:

Pettengill Winckler

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Windschitl of Harrison in the chair at 2:44 p.m.

CONSIDERATION OF BILL Ways and Means Calendar

House File 2481, a bill for an act relating to school funding by modifying provisions relating to the collection of sales tax for deposit in the secure an advanced vision for education fund, provisions relating to the use of tax revenue from the secure an advanced vision

for education fund, and provisions relating to the calculation of adjusted additional property tax levy aid, and making appropriations, was taken up for consideration.

Dolecheck of Ringgold offered amendment H-8373 filed by him from the floor and moved its adoption.

Amendment H-8373 was adopted.

Koester of Polk offered amendment H-8374 filed by him from the floor and moved its adoption.

Amendment H-8374 was adopted.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2481)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, 3:

Baltimore Wheeler Wills

Absent or not voting, 2:

Pettengill Winckler

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2438 from further consideration by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2277, 2442 and 2481.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Winckler of Scott

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 10th day of April, 2018: House Files 2233, 2297, 2338, 2349, 2379, 2381, 2392, 2404, 2414, 2427, 2441, 2444 and 2464.

CARMINE BOAL
Chief Clerk of the House

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 10, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2233, an Act relating to mechanics' liens, public construction liens, and the early release of retained funds.

House File 2297, an Act relating to boiler and unfired steam pressure vessel inspections.

House File 2349, an Act relating to persons voluntarily excluded from gambling facilities.

House File 2379, an Act relating to municipal utility retirement systems.

House File 2381, an Act relating to the disposition of a child found to have committed a delinquent act.

House File 2392, an Act relating to electronic and mechanical eavesdropping, and the interception of communications.

House File 2404, an Act relating to restitution paid to the estate or heirs at law of a crime victim.

House File 2427, an Act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions.

House File 2464, an Act relating to the level of fees imposed pursuant to the land recycling program.

Senate File 481, an Act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities.

Senate File 2169, an Act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Senate File 2177, an Act relating to consumer protection modifying provisions applicable to consumer security freezes and personal information security breach protection, and including effective date provisions.

Senate File 2203, an Act authorizing the board of nursing to issue a limited nursing authorization to a nurse to complete the clinical component of a nurse refresher course.

Senate File 2226, an Act relating to formatting requirements for groundwater hazard statements recorded with a county recording office.

Senate File 2229, an Act relating to obtaining a mechanic's lien when a person takes collateral security on a contract for furnishing material or performing labor.

Senate File 2293, an Act relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises.

Senate File 2347, an Act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions.

PETITION FILED

The following petition was received and placed on file:

By Breckenridge of Jasper, 477 signatures from mostly students, "who believe they deserve a learning environment that is non-threatening."

SUBCOMMITTEE ASSIGNMENTS

Senate File 2394

Ways and Means: Rizer, Chair; Mohr and Wolfe.

Senate File 2398

Ways and Means: Hein, Chair; Bloomingdale and Gaskill.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 687

Appropriations: Worthan, Chair; Breckenridge and Fisher.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 683), excluding entities under the control of an institution of higher learning governed by the state board of regents from the sales tax exemption for sales where the profits are used by or donated to certain nonprofit entities for educational, religious, or charitable purposes.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 10, 2018.

RESOLUTION FILED

H.R. 113, by Fry, Dolecheck, Moore, Ourth, T. Taylor, and M. Smith, a resolution recognizing Graceland University and congratulating its men's basketball team for its outstanding 2017-2018 season, which it finished dramatically by winning the 2018 National Association of Intercollegiate Athletics 81st Annual Division I Men's Basketball Championship.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8372	S.F.	2316	Pettengill of Benton
H-8373	H.F.	2481	Dolecheck of Ringgold
H-8374	H.F.	2481	Koester of Polk
H-8375	H.F.	2442	Jones of Clay
H-8376	S.J.R.	2006	Baltimore of Boone

On motion by Hagenow of Polk, the House adjourned at 3:02 p.m., until 8:30 a.m., Wednesday, April 11, 2018.

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 11, 2018

The House met pursuant to adjournment at 8:33 a.m., Jones of Clay in the chair.

Prayer was offered by Pastor Brad Wallace, Faith Pentecostal Church, Spencer. He was the guest of Jones of Clay.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Josephine Bond from Grimes. She was the guest of Baudler of Adair.

The Journal of Tuesday, April 10, 2018, was approved.

ADOPTION OF HOUSE RESOLUTION 111

Hagenow of Polk called up for consideration **House Resolution 111**, a resolution congratulating University of Iowa wrestler Spencer Lee on winning his first National Collegiate Athletic Association wrestling championship title at 125 pounds.

Jacoby of Johnson moved the adoption of House Resolution 111.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 10:10 a.m., Heartsill of Marion in the chair.

SENATE AMENDMENT CONSIDERED House Concurred

Bloomington of Worth called up for consideration **House File 2258**, a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation

program and including applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8351.

The motion prevailed and the House concurred in the Senate amendment H-8351.

Bloomingtondale of Worth moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2258)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Windschitl
Wolfe	Worthan	Zumbach	Heartsill, Presiding

The nays were, none.

Absent or not voting, 4:

Pettengill	Sieck	Taylor, R.	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILLS
Unfinished Business Calendar

House File 619, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas, was taken up for consideration.

Maxwell of Poweshiek asked and received unanimous consent to withdraw amendment H-8199 filed by him on March 7, 2018.

Maxwell of Poweshiek offered amendment H-8335 filed by him and moved its adoption.

Amendment H-8335 was adopted, placing out of order amendment H-1405 filed by Bacon of Story on April 19, 2017 and amendment H-8006 filed by Maxwell of Poweshiek on February 7, 2018.

SENATE FILE 2389 SUBSTITUTED FOR HOUSE FILE 619

Maxwell of Poweshiek asked and received unanimous consent to substitute Senate File 2389 for House File 619.

Senate File 2389, a bill for an act authorizing the department of natural resources to establish certain fees at state parks and recreation areas, was taken up for consideration.

SPECIAL PRESENTATION

Bearinger of Fayette introduced to the House, former legislator Gene Ficken.

The House rose and expressed its welcome.

Maxwell of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2389)

The ayes were, 89:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cphoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heaton	Heddens	Hein	Hinson
Holt	Holz	Huseman	Isenhardt
Jacobsen	Jones	Kacena	Kaufmann
Kearns	Kerr	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Prichard
Rizer	Rogers	Salmon	Sexton
Sheets	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wills
Windschitl	Wolfe	Worthan	Zumbach
Heartsill, Presiding			

The nays were, 8:

Highfill	Hunter	Jacoby	Klein
Meyer	Running-Marquardt	Smith, M.	Wheeler

Absent or not voting, 3:

Pettengill	Sieck	Winckler
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

ADOPTION OF HOUSE RESOLUTION 113

Hagenow of Polk called up for consideration **House Resolution 113**, a resolution recognizing Graceland University and congratulating its men's basketball team for its outstanding 2017-2018 season, which it finished dramatically by winning the 2018 National Association of Intercollegiate Athletics 81st Annual Division I Men's Basketball Championship.

Fry of Clarke moved the adoption of House Resolution 113.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE JOINT RESOLUTION 2006

Senate Joint Resolution 2006, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession, was taken up for consideration.

Senate Joint Resolution 2006

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 4 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1952 and by amendment number 1 of the Amendments of 1988, is repealed and the following adopted in lieu thereof:

Election by general assembly in case of tie — inability of governor-elect to qualify — succession by lieutenant governor — inauguration of governor and lieutenant governor upon removal of inability of governor-elect to qualify. SEC. 4. The nominees for governor and lieutenant governor jointly having the highest number of votes cast for them shall be declared duly elected. If two or more sets of nominees for governor and lieutenant governor have an equal and the highest number of votes for the offices jointly, the general assembly shall by joint vote proceed, as soon as is possible, to elect one set of nominees for governor and lieutenant governor.

If after the final canvass of votes but before inauguration the governor-elect has since died, does not qualify, or is permanently unable to assume office, the lieutenant governor-elect shall become governor upon inauguration, to the exclusion of any other office, for the residue of the term. In the event of a temporary inability of the governor-elect to assume office, the lieutenant governor-elect shall become governor upon inauguration, until the inability is removed, at which time, the governor-elect and lieutenant governor-elect shall be inaugurated as governor and lieutenant governor.

Section 10 of Article IV of the Constitution of the State of Iowa is amended to read as follows:

Vacancies. SEC. 10. When any office shall, from any cause, become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have power to fill such vacancy, by granting a commission, which shall expire at the end of the next session of the general assembly, or at the next election by the people. The governor shall have the power to fill a vacancy in the office of lieutenant governor by appointment.

Section 17 of Article IV of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

Lieutenant governor to assume the office of governor — vacancy. SEC. 17. If the governor dies, resigns, is removed or impeached prior to acquittal or conviction, or is otherwise unable to serve, the lieutenant governor shall become governor, to the exclusion of any other office. If the preceding governor becomes able to serve, the succeeding governor shall again assume the office of lieutenant governor for the residue of the term, to the exclusion of any other office.

Section 19 of Article IV of the Constitution of the State of Iowa as amended by amendment number 2 of the Amendments of 1952 and by amendment number 2 of the Amendments of 1988, is repealed and the following adopted in lieu thereof:

Succession to office of governor and lieutenant governor — simultaneous inability to serve — qualification of successor governor to office. SEC. 19. If the governor and lieutenant governor are simultaneously unable to serve, the president of the senate shall become governor, followed by the speaker of the house if the president of the senate is unable or unwilling to serve, each succeeding, to the exclusion of the powers and duties of any other office. If the governor or lieutenant governor so succeeded becomes able to serve, the governor or lieutenant governor shall assume the office to which the governor or lieutenant governor qualified prior to the inability, and any successor governor who has served during the period of inability may assume the office to which the successor governor previously qualified, if the successor governor served as governor for less than one hundred ten days.

Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause the proposed amendment to be published for three consecutive months previous to the date of that election as provided by law.

Baltimore of Boone offered amendment H-8376 filed by him.

Steckman of Cerro Gordo offered amendment H-8378, to amendment H-8376, filed by her from the floor.

Nunn of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Jacoby of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Steckman of Cerro Gordo moved the adoption of amendment H-8378, to amendment H-8376.

Roll call was requested by Steckman of Cerro Gordo and M. Smith of Marshall.

On the question "Shall amendment H-8378, to amendment H-8376, be adopted?" (S.J.R. 2006)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Wolfe

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossmann
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanuska
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Rizer	Rogers
Salmon	Sexton	Sheets	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Heartsill, Presiding			

Absent or not voting, 3:

Pettengill	Sieck	Winckler
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Amendment H–8378, to amendment H–8376, lost.

Baltimore of Boone moved the adoption of amendment H–8376.

Amendment H–8376 was adopted, placing out of order amendment H–8312 filed by Steckman of Cerro Gordo on March 23, 2018.

Baltimore of Boone moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question “Shall the joint resolution be adopted and agreed to?” (S.J.R. 2006)

The yeas were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Rizer	Rogers
Salmon	Sexton	Sheets	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Heartsill, Presiding			

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Wolfe

Absent or not voting, 3:

Pettengill	Sieck	Winckler
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2258, Senate Joint Resolution 2006** and **Senate File 2389**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 510 and 619 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Pettengill of Benton
Taylor, R. of Dallas

Sieck of Mills
Winckler of Scott

On motion by Hagenow of Polk, the House was recessed at 11:47 a.m., until the conclusion of the committee on Ways and Means and the committee on Appropriations.

AFTERNOON SESSION

The House reconvened at 3:05 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2371, a bill for an act exempting the state and municipalities from liability for claims involving honeybees on public property.

Also: That the Senate has on April 11, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2480, a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Also: That the Senate has on April 11, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2399, a bill for an act exempting from the Iowa individual income tax the amount of income resulting from prize money and medals received from competition in the olympic or paralympic games, and including retroactive applicability provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILL

House File 2486, by committee on Ways and Means, a bill for an act exempting from the sales tax the sale of instructional materials required for use in a course of instruction at a postsecondary institution in this state.

Read first time and placed on the **Ways and Means calendar**.

SENATE MESSAGE CONSIDERED

Senate File 2399, by committee on Ways and Means, a bill for an act exempting from the Iowa individual income tax the amount of income resulting from prize money and medals received from competition in the olympic or paralympic games, and including retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 11, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2338, an Act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions.

House File 2414, an Act relating to the provision of medical support in child support actions, and including effective date provisions.

House File 2441, an Act relating to school district funding and the authorized purposes for the expenditure of school district funding, and including effective date and applicability provisions.

House File 2444, an Act relating to child care facilities, including child abuse reporting and the prohibition of certain persons from involvement with child care.

Senate File 192, an Act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

Senate File 2165, an Act concerning payments under the crime victim compensation program.

Senate File 2175, an Act relating to partition of property in kind and partition of property by sale.

Senate File 2364, an Act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 688 Government Oversight

Concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances.

H.S.B. 689 Government Oversight

Requiring the civil rights commission to hold educational seminars related to state and federal building accessibility requirements.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2391

Ways and Means: Holt, Chair; Bergan and Wolfe.

Senate File 2400

Ways and Means: Bloomingdale, Chair; Bennett and Mohr.

Senate File 2401

Ways and Means: Mohr, Chair; McConkey and Windschitl.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 687), relating to the assessment of an agricultural property offense surcharge on criminal offenses involving crops, livestock, or honey bees, and making an appropriation.

Fiscal Note: **No**

Recommendation: **Do Pass** April 11, 2018.

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly House Study Bill 688), concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 11, 2018.

COMMITTEE ON WAYS AND MEANS

Senate File 2388, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

Fiscal Note: **Yes**

Recommendation: **Amend and Do Pass with amendment H-8377** April 10, 2018.

Committee Bill (Formerly House File 495), extending the beginning farmer tax credit program and appropriations used to support the program, including the agricultural assets transfer tax credit and the custom farming contract tax credit.

Fiscal Note: **Yes**

Recommendation: **Amend and Do Pass** April 11, 2018.

AMENDMENTS FILED

H-8377	S.F.	2388	Committee on Ways and Means
H-8378	S.J.R.	2006	Steckman of Cerro Gordo
H-8379	S.F.	2311	Carlson of Muscatine

On motion by Hagenow of Polk, the House adjourned at 3:06 p.m., until 8:30 a.m., Thursday, April 12, 2018.

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day - Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 12, 2018

The House met pursuant to adjournment at 8:34 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Dan Hawn, First Baptist Church, Harlan. He was the guest of Holt of Crawford.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Claire Terhaar, Chief Clerk's Page from Winterset.

The Journal of Wednesday, April 11, 2018, was approved.

ADOPTION OF HOUSE RESOLUTION 112

Hagenow of Polk called up for consideration **House Resolution 112**, a resolution celebrating and recognizing the many accomplishments of Dr. Peggy Whitson.

Jones of Clay moved the adoption of House Resolution 112.

The motion prevailed and the resolution was adopted.

On motion by Hagenow of Polk, the House was recessed at 8:46 a.m., until the conclusion of the committee on Ways and Means.

AFTERNOON SESSION

The House reconvened at 3:42 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 12, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 648, a bill for an act relating to career and technical education programs and partnerships and including effective date provisions.

Also: That the Senate has on April 12, 2018, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2442, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Also: That the Senate has on April 12, 2018, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 2011, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

Also: That the Senate has on April 12, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2396, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2487, by committee on Appropriations, a bill for an act relating to the assessment of an agricultural property offense surcharge on criminal offenses involving crops, livestock, or honey bees, and making an appropriation.

Read first time and placed on the **Appropriations calendar**.

House File 2488, by committee on Government Oversight, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

Read first time and placed on the **calendar**.

House File 2489, by committee on Ways and Means, a bill for an act relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations has been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 671), relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions.

Fiscal Note: **Yes**

Recommendation: **Amend and Do Pass** April 12, 2018.

AMENDMENTS FILED

H-8380	S.F.	2311	Heaton of Henry
H-8381	S.F.	2311	Carlson of Muscatine

On motion by Koester of Polk, the House adjourned at 3:43 p.m., until 10:30 a.m., Friday, April 13, 2018.

JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day - Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 13, 2018

The House met pursuant to adjournment at 10:31 a.m., Hagenow of Polk in the chair.

Prayer was offered by Hagenow of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hagenow of Polk.

The Journal of Thursday, April 12, 2018, was approved.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 2011, by committee on Government Oversight, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

Read first time and **passed on file**.

Senate File 2396, by committee on Ways and Means, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal.

Read first time and referred to committee on **Ways and Means**.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT OF HUMAN SERVICES

Nursing Facilities Private Room Supplementation Report, pursuant to Iowa Code section 249A.4.

DEPARTMENT OF MANAGEMENT

Deappropriation Report, pursuant to Senate File 2117.

On motion by Heaton of Henry, the House adjourned at 10:33 a.m., until 1:00 p.m., Monday, April 16, 2018.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day - Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 16, 2018

The House met pursuant to adjournment at 1:04 p.m., H. Miller of Webster in the chair.

Prayer was offered by Pastor Rich Taylor, Holmes Lutheran Church, Holmes and Samuel Lutheran Church, Eagle Grove. He was the guest of Baxter of Hancock.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Braden Bean, Page from Atlantic.

The Journal of Friday, April 13, 2018, was approved.

INTRODUCTION OF BILL

House File 2490, by committee on Ways and Means, a bill for an act providing for an agricultural assets transfer tax credit program, and including effective date and retroactive and other applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

EXPLANATION OF VOTE

On April 9, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 637 – “aye”
House File 2480 – “aye”

House File 2467 – “aye”

Also: April 10, 2018:
House File 2442 – “aye”

House File 2277 – “aye”
House File 2481 – “aye”

Also: April 11, 2018:
Amendment H–8378 to H–8376 (S.J.R. 2006) – “aye”
Senate Joint Resolution 2006 – “nay”
Senate File 2389 – “aye”

Winckler of Scott

JOURNAL OF THE HOUSE

One Hundredth Calendar Day - Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 17, 2018

The House met pursuant to adjournment at 8:32 a.m., Salmon of Black Hawk in the chair.

“Come, Come Ye Saints” and “God Be with You” were sung by the Capitol Chorus, led by Bacon of Story.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Madison DeWitt, Page from Spencer.

The Journal of Monday, April 16, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 16, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2342, a bill for an act relating to the seizure and disposition of property by the department of natural resources and requiring a report.

Also: That the Senate has on April 16, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2397, a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions.

Also: That the Senate has on April 16, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2443, a bill for an act relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records.

W. CHARLES SMITHSON, Secretary

On motion by Hagenow of Polk, the House was recessed at 8:44 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened at 2:32 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 2129, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions, was taken up for consideration.

SENATE FILE 2303 SUBSTITUTED FOR HOUSE FILE 2129

Hein of Jones asked and received unanimous consent to substitute Senate File 2303 for House File 2129.

Senate File 2303, a bill for an act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions, was taken up for consideration.

Hein of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2303)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson

Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kaufmann Sieck

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

House File 2131, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging exceeding a certain number of consecutive days, was taken up for consideration.

Maxwell of Poweshiek asked and received unanimous consent to withdraw amendment H-8045 filed by him on February 19, 2018.

Maxwell of Poweshiek asked and received unanimous consent to withdraw amendment H-8053 filed by him on February 20, 2018.

Mommsen of Clinton asked and received unanimous consent to withdraw amendment H-8384 filed by him from the floor.

Maxwell of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2131)

The ayes were, 75:

Anderson	Bacon	Baltimore	Baudler
Baxter	Bennett	Bergan	Best
Bloomington	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaskill	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Hinson
Holt	Holz	Huseman	Isenhart
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig
Landon	Lundgren	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Smith, M.	Steckman	Taylor, R.	Thede
Upmeyer, Spkr.	Vander Linden	Wills	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, 23:

Abdul-Samad	Bearinger	Gaines	Gassman
Heddens	Highfill	Hunter	Jacobsen
Kurth	Lensing	Mascher	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, R.	Staed	Taylor, T.	Watts
Wessel-Kroeschell	Wheeler	Winckler	

Absent or not voting, 2:

Kaufmann	Sieck
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2320, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in

farming, and the duties and liabilities of directors of for-profit and nonprofit corporations, was taken up for consideration.

Gustafson of Madison asked and received unanimous consent to withdraw amendment H-8069 filed by him on February 21, 2018.

SENATE FILE 2314 SUBSTITUTED FOR HOUSE FILE 2320

Gustafson of Madison asked and received unanimous consent to substitute Senate File 2314 for House File 2320.

Senate File 2314, a bill for an act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations, was taken up for consideration.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2314)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Smith, M.	Smith, R.	Staed	Steckman

Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kaufmann	Sieck
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2227, a bill for an act relating to the publication of county resolutions, with report of committee recommending passage, was taken up for consideration.

McKean of Jones offered amendment H-8369 filed by him and moved its adoption.

Amendment H-8369 was adopted.

McKean of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2227)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean

Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kaufmann	Sieck
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

House File 2478, a bill for an act amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction, was taken up for consideration.

Hein of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 2478)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig

Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kaufmann Sieck

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED House Concurred

Pettengill of Benton called up for consideration **House File 2446**, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable, amended by the Senate, and moved that the House concur in the Senate amendment H-8298.

The motion prevailed and the House concurred in the Senate amendment H-8298.

Pettengill of Benton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2446)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman

Breckenridge	Brown-Powers	Carlson	Cphoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 2:

Kaufmann Sieck

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2131, 2446, 2478** and **Senate Files 2227, 2303** and **2314**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 91, 477, 2129 and 2320 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Kaufmann of Cedar

Sieck of Mills

SUPPLEMENTAL REPORT OF
COMMITTEE ON ADMINISTRATION AND RULES

April 9, 2018

To: Administration & Rules Committee

From: Carmine Boal, Chief Clerk

Pursuant to Senate Concurrent Resolution 1, duly adopted, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade- and Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Legislative Secretary	Sydney M. Lundgren	17-7 to	S-O	01-08-18
Legislative Comm. Sec.		18-7		
Bill Clerk	Joan E. Skeffington	14-2 to	S-O	01-12-18
		14-3		
Legislative Secretary	Madison Zachrich-Lehew	15-1	S-O	01-16-18
Legislative Secretary	Chol D. Kuot	15-1	S-O	01-23-18
Legislative Secretary	Mariah E. Keech	16-1 to	S-O	01-23-18
		17-7		
Legislative Comm. Sec.	Haley J. O'Connor	17-1 to	S-O	01-29-18
		18-7		
Legislative Comm. Sec.	Marlene J. Martens	17-7 to	S-O	02-09-18
		17-8		
Legislative Res. Analyst I	Alison R. Ver Schuer	29-7	P-FT	02-16-18
Legislative Secretary	Carol J. Lamb	16-4 to	S-O	03-09-18
		16-5		
Doorkeeper	Frank P. Mauro	11-3 to	S-O	03-09-18
		11-4		
Legislative Secretary	Susan M. Mahedy-Ridgway	16-3 to	S-O	03-09-18
		16-4		
Legislative Secretary	Liam M. Ruff	16-1 to	S-O	03-09-18
		16-2		
Legislative Secretary	Sidney A. Snyder	16-1 to	S-O	03-09-18
		16-2		
Legislative Secretary	Laura N. Engel	16-1 to	S-O	03-23-18
		16-2		
Legislative Comm. Sec.	Regina M. Felderman	17-1 to	S-O	03-23-18
		17-2		
Legislative Secretary	Joyce L. Godwin	17-1 to	S-O	03-23-18
		17-2		

<u>Position</u>	<u>Name</u>	<u>Grade- and Step</u>	<u>Class of Appoint- ment</u>	<u>Effective Date</u>
Legislative Secretary	Joshua D. Hughes	16-1 to 16-2	S-O	03-23-18
Legislative Comm. Sec.	Sydney M. Lundgren	18-7 to 18-8	S-O	03-23-18
Legislative Secretary	David Niffenegger	16-1 to 16-2	S-O	03-23-18
Legislative Secretary	Carter Nordman	15-1 to 15-2	S-O	03-23-18
Legislative Comm. Sec.	Haley J. O'Connor	18-7 to 18-8	S-O	03-23-18
Legislative Secretary	Barbara Osmundson	16-1 to 16-2	S-O	03-23-18
Legislative Secretary	James J. Theobald	16-1 to 16-2	S-O	03-23-18
Legislative Secretary	Philip W. Thompson	15-1 to 15-2	S-O	03-23-18
Legislative Comm. Sec.	Amy M. Walsh	17-1 to 17-2	S-O	03-23-18
Switchboard Operator	Mary Ann Burrows	14-1 to 14-2	S-O	04-06-18
Legislative Secretary	Susan E. Staed	16-2 to 16-3	S-O	04-06-18

The following are resignations from the officers and employees of the House:

Sr. Deputy Caucus Director Anna M. Hyatt 02-15-18

EXPLANATION OF VOTE

On April 17, 2018 I inadvertently voted “aye” on House File 2131, I meant to vote “nay”.

Salmon of Black Hawk

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 17, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 637, an Act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division, eliminating the technology advisory council, and including effective date provisions.

House File 2258, an Act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions.

House File 2277, an Act relating to the inspection and examination of certain public records under the custody of the state archivist or a county registrar.

House File 2371, an Act exempting the state and municipalities from liability for claims involving honeybees on public property.

House File 2467, an Act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds, and including retroactive applicability provisions.

House File 2480, an Act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes.

Senate File 449, an Act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions.

Senate File 475, an Act relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions.

Senate File 2235, an Act relating to criminal acts committed on or against critical infrastructure and providing penalties.

Senate File 2318, an Act relating to the issuance of high school credit for satisfactory completion of high school-level units of instruction.

Senate File 2360, an Act providing for a dyslexia response task force and report.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 691 Appropriations

Relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

H.S.B. 692 Appropriations

Making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the

public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions.

H.S.B. 693 Appropriations

Relating to appropriations to the judicial branch.

H.S.B. 694 Appropriations

Relating to appropriations to the justice system.

H.S.B. 695 Appropriations

Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 690

Appropriations: Hinson, Chair; Grassley and Hall.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 691), relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

Fiscal Note: **No**

Recommendation: **Do Pass** April 17, 2018.

Committee Bill (Formerly House Study Bill 692), making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 17, 2018.

Committee Bill (Formerly House Study Bill 693), relating to appropriations to the judicial branch.

Fiscal Note: **No**

Recommendation: **Do Pass** April 17, 2018.

Committee Bill (Formerly House Study Bill 694), relating to appropriations to the justice system.

Fiscal Note: **No**

Recommendation: **Do Pass** April 17, 2018.

Committee Bill (Formerly House Study Bill 695), relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Fiscal Note: **No**

Recommendation: **Do Pass** April 17, 2018.

RESOLUTION FILED

H.R. 115, by Isenhardt, Gaskill, Nielsen, Oldson, Staed, and Prichard, a resolution urging the Governor of Iowa to take all necessary actions for the State of Iowa to become a member of the United States Climate Alliance.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8382	H.F.	2342	Senate amendment
H-8383	H.F.	2397	Senate amendment
H-8384	H.F.	2131	Mommsen of Clinton
H-8385	H.F.	2487	Klein of Washington

On motion by Hagenow of Polk, the House adjourned at 3:11 p.m., until 8:30 a.m., Wednesday, April 18, 2018.

JOURNAL OF THE HOUSE

One Hundred-first Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 18, 2018

The House met pursuant to adjournment at 8:33 a.m., Huseman of Cherokee in the chair.

Prayer was offered by Pastor Jeff Sanderson, Bondurant Federated Church, Bondurant. He was the guest of Nunn of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hannah Brown, Page from Lenox.

The Journal of Tuesday, April 17, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2466, a bill for an act relating to the management of the spread of diseases in wild animals, making penalties applicable, and including effective date provisions.

Also: That the Senate has on April 17, 2018, concurred in the House amendment and adopted the following resolution in which the concurrence of the Senate was asked:

Senate Joint Resolution 2006, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2491, by committee on Appropriations, a bill for an act relating to and making appropriations and related statutory changes

involving state government entities involved with agriculture, natural resources, and environmental protection.

Read first time and placed on the **Appropriations calendar**.

House File 2492, by committee on Appropriations, a bill for an act relating to appropriations to the justice system.

Read first time and placed on the **Appropriations calendar**.

House File 2493, by committee on Appropriations, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions.

Read first time and placed on the **Appropriations calendar**.

House File 2494, by committee on Appropriations, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Read first time and placed on the **Appropriations calendar**.

House File 2495, by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

Read first time and placed on the **Appropriations calendar**.

On motion by Hagenow of Polk, the House was recessed at 8:43 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:16 p.m., Speaker Upmeyer in the chair.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Upmeyer invited the following House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives:

Paul Attema	Elisabeth Balke	Braden Bean
Autumn Boettger	Hannah Brown	Liam Conrad
Madison DeWitt	Emily Donaker	Brady Fisher
Rylee Lobberecht	Jack Lucas	Jenna Nelson
Benjamin Olsen	Giorgio Rossi	Claire Terhaar
Bailey Veatch		

Certificates of excellence for serving with honor and distinction as a House Page during the Second Regular Session of the Eighty-seventh General Assembly were presented to the House Pages by Speaker Linda Upmeyer, Majority Leader Chris Hagenow and Minority Leader Mark Smith.

The House rose and expressed its appreciation.

The House stood at ease at 1:24 p.m., until the fall of the gavel.

The House resumed session at 1:25 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 2:14 p.m., until the fall of the gavel.

The House resumed session at 2:45 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 2479, a bill for an act establishing processes for voter approval of a proposition to require a township to provide emergency medical service and for voter approval of a higher additional annual property tax levy rate for the provision of township services, was taken up for consideration.

Kaufmann of Cedar offered amendment H-8371 filed by Nielsen of Johnson and moved its adoption.

Amendment H-8371 was adopted.

Zumbach of Linn asked and received unanimous consent to withdraw amendment H-8368 filed by him on April 4, 2018.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2479)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Finkenauer	Hein	Sieck	Wolfe
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Regular Calendar

House Joint Resolution 2011, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds, was taken up for consideration.

SENATE JOINT RESOLUTION 2011
 SUBSTITUTED FOR
 HOUSE JOINT RESOLUTION 2011

Kaufmann of Cedar asked and received unanimous consent to substitute Senate Joint Resolution 2011 for House Joint Resolution 2011.

Senate Joint Resolution 2011, a joint resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds, was taken up for consideration.

Kaufmann of Cedar moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question “Shall the joint resolution be adopted and agreed to?” (S.J.R. 2011)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingle	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt

Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Finkenauer	Hein	Sieck	Wolfe
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

SENATE AMENDMENTS CONSIDERED House Concurred

Best of Carroll called up for consideration **House File 2445**, a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services, amended by the Senate, and moved that the House concur in the Senate amendment H-8353.

The motion prevailed and the House concurred in the Senate amendment H-8353.

Best of Carroll moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2445)

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Highfill	Hinson
Holt	Holz	Hunter	Huseman

Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, 4:

Finkenauer	Hein	Sieck	Wolfe
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House Concurred

Heartsill of Marion called up for consideration **House File 2342**, a bill for an act relating to the seizure and disposition of property by the department of natural resources and requiring a report, amended by the Senate, and moved that the House concur in the Senate amendment H-8382.

The motion prevailed and the House concurred in the Senate amendment H-8382.

Heartsill of Marion moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2342)

The ayes were, 65:

Bacon	Baltimore	Baudler	Baxter
Bennett	Bergan	Best	Bloomingdale
Bossman	Breckenridge	Brown-Powers	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Kressig
Landon	Lundgren	Maxwell	McKean
Meyer	Mohr	Mommsen	Moore
Nunn	Olson	Paustian	Pettengill
Prichard	Rizer	Rogers	Salmon
Sexton	Sheets	Smith, R.	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 31:

Abdul-Samad	Anderson	Bearinger	Cohoon
Forbes	Gaines	Gaskill	Hall
Heaton	Heddens	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Nielsen	Oldson	Ourth
Running-Marquardt	Smith, M.	Staed	Steckman
Taylor, T.	Thede	Winckler	

Absent or not voting, 4:

Finkenauer	Hein	Sieck	Wolfe
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2342, 2445, 2479** and **Senate Joint Resolution 2011**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Joint Resolution 2011 and House Files 2215 and 2454 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Finkenauer of Dubuque
Sieck of Mills

Hein of Jones
Wolfe of Clinton

AMENDMENTS FILED

H-8386	H.F.	2466	Senate amendment
H-8387	S.F.	2326	Koester of Polk
H-8388	S.F.	2365	Paustian of Scott

On motion by Hagenow of Polk, the House adjourned at 3:06 p.m., until 8:30 a.m., Thursday, April 19, 2018.

JOURNAL OF THE HOUSE

One Hundred-second Calendar Day - Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 19, 2018

The House met pursuant to adjournment at 8:32 a.m., Wills of Dickinson in the chair.

Prayer was offered by Dolecheck of Ringgold.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bailey Veatch, Page from Ottumwa.

The Journal of Wednesday, April 18, 2018, was approved.

On motion by Hagenow of Polk, the House adjourned at 8:35 a.m., until 10:00 a.m., Friday, April 20, 2018.

JOURNAL OF THE HOUSE

One Hundred-third Calendar Day - Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 20, 2018

The House met pursuant to adjournment at 10:05 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Speaker Upmeyer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Upmeyer.

The Journal of Thursday, April 19, 2018, was approved.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT OF HUMAN SERVICES

Nursing Facilities Private Room Supplementation Report, pursuant to Iowa Code section 249A.4(10).

BOARD OF REGENTS

Judicial Review Report, pursuant to Iowa Code section 625.29.

LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7.

On motion by Hagenow of Polk, the House adjourned at 10:07 a.m., until 1:00 p.m., Monday, April 23, 2018.

JOURNAL OF THE HOUSE

One Hundred-sixth Calendar Day - Seventy-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 23, 2018

The House met pursuant to adjournment at 1:00 p.m., Jones of Clay in the chair.

“God Bless America” was sung by Miss Iowa Chelsea Dubczak from Urbandale. She was the guest of Gustafson of Madison.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carter Howe from Omaha. He was the guest of Jones of Clay.

The Journal of Friday, April 20, 2018, was approved.

On motion by Wills of Dickinson, the House was recessed at 1:05 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:16 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 2353, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Running-Marquardt of Linn offered amendment H-8318 filed by her and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Prichard of Floyd.

On the question "Shall amendment H-8318 be adopted?" (S.F. 2353)

The ayes were, 41:

Abdul-Samad	Baltimore	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Vander Linden	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 54:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Rizer	Rogers
Salmon	Sexton	Sheets	Taylor, R.
Upmeyer, Spkr.	Watts	Wheeler	Wills
Worthan	Windschitl, Presiding		

Absent or not voting, 5:

Anderson	Forbes	Pettengill	Sieck
Zumbach			

Amendment H-8318 lost.

Klein of Washington offered amendment H-8325 filed by him.

Klein of Washington offered amendment H-8390, to amendment H-8325, filed by him from the floor and moved its adoption.

Amendment H-8390, to amendment H-8325, was adopted.

Klein of Washington moved the adoption of amendment H-8325, as amended.

Amendment H-8325, as amended, was adopted.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2353)

The ayes were, 88:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomngdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Fry	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kaufmann	Kerr
Klein	Koester	Kressig	Landon
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Wolfe	Worthan	Windschitl, Presiding

The nays were, 7:

Gaines	Hunter	Kacena	Kearns
Kurth	Lensing	Winckler	

Absent or not voting, 5:

Anderson	Forbes	Pettengill	Sieck
Zumbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Appropriations Calendar

House File 2483, a bill for an act relating to programs and activities under the purview of the department of human services, was taken up for consideration.

Heaton of Henry offered amendment H-8391 filed by him from the floor and moved its adoption.

Amendment H-8391 was adopted.

Heaton of Henry offered amendment H-8389 filed by him from the floor and moved its adoption.

Amendment H-8389 was adopted.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2483)

The ayes were, 95:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Prichard
Rizer	Rogers	Running-Marquardt	Salmon

Sexton	Sheets	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Anderson	Forbes	Pettengill	Sieck
Zumbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED House Concurred

Carlson of Muscatine called up for consideration **House File 2372**, a bill for an act concerning county supervisor representation and districting plans, amended by the Senate, and moved that the House concur in the Senate amendment H-8370.

The motion prevailed and the House concurred in the Senate amendment H-8370.

Carlson of Muscatine moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2372)

The ayes were, 54:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell

McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Rizer	Salmon
Sexton	Sheets	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Windschitl, Presiding		

The nays were, 41:

Abdul-Samad	Bearinger	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Fisher
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhart	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Rogers	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 5:

Anderson	Forbes	Pettengill	Sieck
Zumbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Appropriations Calendar

House File 2487, a bill for an act relating to the assessment of an agricultural property offense surcharge on criminal offenses involving crops, livestock, or honey bees, and making an appropriation, was taken up for consideration.

Klein of Washington offered amendment H-8385 filed by him and moved its adoption.

Amendment H-8385 was adopted.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2487)

The ayes were, 73:

Bacon	Baudler	Baxter	Bearinger
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kacena
Kaufmann	Kerr	Klein	Koester
Kressig	Landon	Lundgren	Maxwell
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nunn
Ourth	Paustian	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Smith, M.	Smith, R.	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Windschitl, Presiding			

The nays were, 22:

Abdul-Samad	Baltimore	Bennett	Cohoon
Gaines	Gaskill	Hunter	Isenhart
Jacoby	Kearns	Kurth	Lensing
Mascher	McConkey	Nielsen	Oldson
Olson	Staed	Steckman	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 5:

Anderson	Forbes	Pettengill	Sieck
Zumbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2372, 2483, 2487** and **Senate File 2353**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Polk	Forbes of Polk
Pettengill of Benton	Sieck of Mills
Zumbach of Linn	

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 696 Ways and Means

Relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions.

AMENDMENTS FILED

H-8389	H.F.	2483	Heaton of Henry
H-8390	S.F.	2353	Klein of Washington
H-8391	H.F.	2483	Heaton of Henry
H-8392	H.F.	2466	Baxter of Hancock
H-8393	H.F.	2491	Heartsill of Marion

On motion by Hagenow of Polk, the House adjourned at 5:19 p.m., until 8:30 a.m., Tuesday, April 24, 2018.

JOURNAL OF THE HOUSE

One Hundred-seventh Calendar Day - Seventy-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 24, 2018

The House met pursuant to adjournment at 8:34 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Baxter of Hancock.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Claire Terhaar, Chief Clerk's Page from Winterset.

The Journal of Monday, April 23, 2018, was approved.

On motion by Hagenow of Polk, the House was recessed at 8:54 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:16 p.m., Bossman of Woodbury in the chair.

EXPLANATION OF VOTE

On April 23, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2372 – “aye”
House File 2487 – “nay”

House File 2483 – “aye”
Senate File 2353 – “nay”

Anderson of Polk

AMENDMENTS FILED

H-8394	H.F.	2491	Bennett of Linn
H-8395	H.F.	2493	Running-Marquardt of Linn
H-8396	H.F.	2493	Running-Marquardt of Linn

H-8397	S.F.	2316	Pettengill of Benton
H-8398	H.F.	2494	Carlson of Muscatine

On motion by Nunn of Polk, the House adjourned at 1:16 p.m., until 8:30 a.m., Wednesday, April 25, 2018.

JOURNAL OF THE HOUSE

One Hundred-eighth Calendar Day - Seventy-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 25, 2018

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Heartsill of Marion.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brady Fisher, Minority Leader's Page from Ackley.

The Journal of Tuesday, April 24, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2227, a bill for an act relating to the publication of county resolutions.

Also: That the Senate has on April 24, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2390, a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

On motion by Hagenow of Polk, the House was recessed at 8:35 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:07 p.m., Speaker Upmeyer in the chair.

Windschitl of Harrison in the chair at 2:24 p.m.

CONSIDERATION OF BILLS
Unfinished Business Calendar

Senate File 385, a bill for an act relating to the revised uniform athlete agents Act and providing remedies and penalties, with report of committee recommending passage, was taken up for consideration.

McKean of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 385)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingdale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sheets	Smith, M.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 1:

Baltimore

Absent or not voting, 5:

Forbes	Kaufmann	Sexton	Sieck
Smith, R.			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

House File 2494, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, was taken up for consideration.

Carlson of Muscatine offered amendment H-8398 filed by him and moved its adoption.

Amendment H-8398 was adopted.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2494)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isehart	Jacobsen	Jacoby
Jones	Kacena	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill

Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sheets	Smith, M.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Forbes	Kaufmann	Sexton	Sieck
Smith, R.			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Regular Calendar

House File 2488, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions, was taken up for consideration.

Landon of Polk moved that the bill be read a last time now and laid upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2488)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer

Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sheets	Smith, M.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Forbes	Kaufmann	Sexton	Sieck
Smith, R.			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease at 2:43 p.m., until the fall of the gavel.

The House resumed session at 3:17 p.m., Speaker Upmeyer in the chair.

Windschitl of Harrison in the chair at 3:36 p.m.

Appropriations Calendar

House File 2491, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, was taken up for consideration.

Mommsen of Clinton offered amendment H-8399 filed by him from the floor.

Prichard of Floyd offered amendment H-8407, to amendment H-8399, filed by him from the floor and moved its adoption.

Roll call was requested by Prichard of Floyd and Hall of Woodbury.

On the question "Shall amendment H-8407, to amendment H-8399, be adopted?" (H.F. 2491)

The ayes were, 39:

Abdul-Samad	Anderson	Baltimore	Bearinger
Bennett	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 56:

Bacon	Baudler	Baxter	Bergan
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sheets	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 5:

Forbes	Miller, H.	Sexton	Sieck
Smith, R.			

Amendment H-8407, to amendment H-8399, lost.

Mommsen of Clinton moved the adoption of amendment H-8399.

Amendment H-8399 was adopted.

Isenhart of Dubuque offered amendment H-8401 filed by him from the floor and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Steckman of Cerro Gordo.

On the question "Shall amendment H-8401 be adopted?" (H.F. 2491)

The ayes were, 37:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, P.	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Kressig	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sheets	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 5:

Forbes	Miller, H.	Sexton	Sieck
Smith, R.			

Amendment H-8401 lost.

Isenhardt of Dubuque offered amendment H-8402 filed by him from the floor and moved its adoption.

Amendment H-8402 lost.

Isenhardt of Dubuque offered amendment H-8403 filed by him from the floor and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Steckman of Cerro Gordo.

On the question "Shall amendment H-8403 be adopted?" (H.F. 2491)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhart	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sheets
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 5:

Forbes	Miller, H.	Sexton	Sieck
Smith, R.			

Amendment H-8403 lost.

Ourth of Warren offered amendment H-8404 filed by him from the floor and moved its adoption.

Roll call was requested by M. Smith of Marshall and Hunter of Polk.

Rule 75 was invoked.

On the question "Shall amendment H-8404 be adopted?" (H.F. 2491)

The ayes were, 43:

Abdul-Samad	Anderson	Bacon	Baxter
Bearinger	Bennett	Bloomingdale	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Lundgren
Mascher	McConkey	McKean	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 52:

Baltimore	Baudler	Bergan	Best
Bossman	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Maxwell	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sheets	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 5:

Forbes	Miller, H.	Sexton	Sieck
Smith, R.			

Amendment H-8404 lost.

Steckman of Cerro Gordo offered amendment H-8405 filed by her from the floor.

Mommsen of Clinton rose on a point of order that amendment H-8405 was not germane.

The Speaker ruled the point well taken and amendment H-8405 not germane.

Steckman of Cerro Gordo asked for unanimous consent to suspend the rules to consider amendment H-8405.

Objection was raised.

Steckman of Cerro Gordo moved to suspend the rules to consider amendment H-8405.

Roll call was requested by Steckman of Cerro Gordo and Hunter of Polk.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-8405?" (H.F. 2491)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Sheets	Smith, M.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomington	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl,	
		Presiding	

Absent or not voting, 6:

Baudler	Forbes	Miller, H.	Sexton
Sieck	Smith, R.		

The motion to suspend the rules lost.

Bennett of Linn asked and received unanimous consent to withdraw amendment H-8394 filed by her on April 24, 2018.

Heartsill of Marion asked and received unanimous consent to withdraw amendment H-8393 filed by him on April 23, 2018.

Heartsill of Marion asked and received unanimous consent to withdraw amendment H-8400 filed by him from the floor.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Mommsen of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2491)

The ayes were, 57:

Bacon	Baltimore	Baxter	Bergan
Best	Bloomington	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Miller, P.	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sheets
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 37:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 6:

Baudler	Forbes	Miller, H.	Sexton
Sieck	Smith, R.		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be messaged to the Senate: **House Files 2488, 2491, 2494** and **Senate File 385**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair	Forbes of Polk
Kaufmann of Cedar	Miller, H. of Webster
Sexton of Calhoun	Sieck of Mills
Smith, R. of Black Hawk	

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 25th day of April, 2018: House Files 648 and 2442.

CARMINE BOAL
Chief Clerk of the House

AMENDMENTS FILED

H-8399	H.F.	2491	Mommsen of Clinton
H-8400	H.F.	2491	Heartsill of Marion
H-8401	H.F.	2491	Isenhart of Dubuque
H-8402	H.F.	2491	Isenhart of Dubuque
H-8403	H.F.	2491	Isenhart of Dubuque
H-8404	H.F.	2491	Ourth of Warren
H-8405	H.F.	2491	Steckman of Cerro Gordo
H-8406	S.F.	2311	Watts of Dallas
H-8407	H.F.	2491	Prichard of Floyd
H-8408	H.F.	2493	McKean of Jones
H-8409	H.F.	2486	Kaufmann of Cedar

On motion by Hagenow of Polk, the House adjourned at 5:32 p.m., until 8:30 a.m., Thursday, April 26, 2018.

JOURNAL OF THE HOUSE

One Hundred-ninth Calendar Day - Seventy-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 26, 2018

The House met pursuant to adjournment at 8:36 a.m., Best of Carroll in the chair.

Prayer was offered by Wills of Dickinson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jack Lucas, Majority Leader's Page from Johnston.

The Journal of Wednesday, April 25, 2018, was approved.

SENATE MESSAGE CONSIDERED

Senate File 2390, by committee on Ways and Means, a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 11:52 p.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILL Appropriations Calendar

House File 2493, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Best of Carroll offered amendment H-8410 filed by him from the floor.

Hunter of Polk requested a division to amendment H-8410 as follows:

Division A: Page 1, lines 2 through 5 and lines 18 through 21.

Division B: Page 1, lines 6 through 17 and Page 1, lines 22 through Page 2, line 9.

Best of Carroll moved the adoption of amendment H-8410A.

Amendment H-8410A was adopted.

Best of Carroll moved the adoption of amendment H-8410B.

Roll call was requested by Running-Marquardt of Linn and Hunter of Polk.

On the question "Shall amendment H-8410B be adopted?" (H.F. 2493)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Finkenauer Forbes Sieck

Amendment H–8410B was adopted.

Best of Carroll offered amendment H–8411 filed by him from the floor and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Hall of Woodbury.

On the question "Shall amendment H–8411 be adopted?" (H.F. 2493)

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Finkenauer Forbes Sieck

Amendment H-8411 was adopted.

Hall of Woodbury offered amendment H-8412 filed by him from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and Jacoby of Johnson.

On the question "Shall amendment H-8412 be adopted?" (H.F. 2493)

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingle	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 2:

Forbes Sieck

Amendment H-8412 lost.

Running-Marquardt of Linn offered amendment H-8396 filed by her and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Steckman of Cerro Gordo.

On the question "Shall amendment H-8396 be adopted?" (H.F. 2493)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Sheets
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 2:

Forbes	Sieck
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Amendment H-8396 lost.

Running-Marquardt of Linn offered amendment H-8395 filed by her and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Abdul-Samad of Polk.

On the question "Shall amendment H-8395 be adopted?" (H.F. 2493)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe
Zumbach			

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Windschitl, Presiding			

Absent or not voting, 2:

Forbes	Sieck
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Amendment H-8395 lost.

McKean of Jones asked and received unanimous consent to withdraw amendment H-8408 filed by him on April 25, 2018.

Best of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked

On the question "Shall the bill pass?" (H.F. 2493)

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2493** be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 12:59 p.m., until 2:00 p.m.

EVENING SESSION

The House reconvened at 10:14 p.m., Windschitl of Harrison in the chair.

Hagenow of Polk asked for unanimous consent to suspend Rule 75, regarding voting after midnight.

Objection was raised.

Hagenow of Polk moved to suspend Rule 75.

Roll call was requested by M. Smith of Marshall and Highfill of Polk.

On the question "Shall Rule 75 be suspended?"

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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The motion to suspend Rule 75 prevailed.

CONSIDERATION OF BILL Unfinished Business Calendar

Senate File 2311, a bill for an act modifying various provisions relating to public utilities, with report of committee recommending amendment and passage, was taken up for consideration.

Carlson of Muscatine asked and received unanimous consent that the committee amendment H-8268 be deferred.

Carlson of Muscatine offered amendment H-8340 filed by him.

Kressig of Black Hawk offered amendment H-8415, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8415 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8415 not germane, to amendment H-8340.

Kressig of Black Hawk asked for unanimous consent to suspend the rules to consider amendment H-8415, to amendment H-8340.

Objection was raised.

Kressig of Black Hawk moved to suspend the rules to consider amendment H-8415, to amendment H-8340.

Roll call was requested by Kressig of Black Hawk and Oldson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8415, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Gaskill of Wapello offered amendment H-8416, to amendment H-8340, filed by her from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8416 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8416 not germane, to amendment H-8340.

Gaskill of Wapello asked for unanimous consent to suspend the rules to consider amendment H-8416, to amendment H-8340.

Objection was raised.

Gaskill of Wapello moved to suspend the rules to consider amendment H-8416, to amendment H-8340.

Roll call was requested by Gaskill of Wapello and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8416, to amendment H-8340?" (S.F. 2311)

The ayes were, 37:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell

McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Taylor, R.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 6:

Best	Forbes	Gaines	Sieck
Staed	Upmeyer, Spkr.		

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Hunter of Polk offered amendment H-8417, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8417 was not germane, to amendment H-8340.

The Speaker ruled the point not well taken and amendment H-8417 germane, to amendment H-8340.

Hunter of Polk moved the adoption of amendment H-8417, to amendment H-8340.

Roll call was requested by Hunter of Polk and Oldson of Polk.

On the question "Shall amendment H-8417, to amendment H-8340, be adopted?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

Amendment H–8417, to amendment H–8340 lost.

Steckman of Cerro Gordo offered amendment H–8418, to amendment H–8340, filed by her from the floor.

Carlson of Muscatine rose on a point of order that amendment H–8418 was not germane, to amendment H–8340.

The Speaker ruled the point well taken and amendment H–8418 not germane, to amendment H–8340.

Steckman of Cerro Gordo asked for unanimous consent to suspend the rules to consider amendment H–8418, to amendment H–8340.

Objection was raised.

Steckman of Cerro Gordo moved to suspend the rules to consider amendment H–8418, to amendment H–8340.

Roll call was requested by Steckman of Cerro Gordo and Oldson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8418, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Anderson of Polk offered amendment H-8419, to amendment H-8340, filed by her from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8419 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8419 not germane, to amendment H-8340.

Anderson of Polk asked for unanimous consent to suspend the rules to consider amendment H-8419, to amendment H-8340.

Objection was raised.

Anderson of Polk moved to suspend the rules to consider amendment H-8419, to amendment H-8340.

Roll call was requested by Anderson of Polk and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8419, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes Gaines Sieck Upmeyer, Spkr.

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Ourth of Warren offered amendment H-8420, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8420 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8420 not germane, to amendment H-8340.

Ourth of Warren asked for unanimous consent to suspend the rules to consider amendment H-8420, to amendment H-8340.

Objection was raised.

Ourth of Warren moved to suspend the rules to consider amendment H-8420, to amendment H-8340.

Roll call was requested by Ourth of Warren and Oldson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8420, to amendment H-8340?" (S.F. 2311)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Mommsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Taylor, R.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Isenhart of Dubuque offered amendment H-8421, to amendment H-8340, filed by him from the floor.

Wills of Dickinson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Isenhart of Dubuque moved the adoption of amendment H-8421, to amendment H-8340.

Roll call was requested by Isenhart of Dubuque and Hagenow of Polk.

On the question "Shall amendment, H-8421, to amendment H-8340, be adopted?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

Amendment H-8421, to amendment H-8340, lost.

Oldson of Polk offered amendment H-8422, to amendment H-8340, filed by her from the floor and moved its adoption.

Roll call was requested by Oldson of Polk and Prichard of Floyd.

On the question "Shall amendment H-8422, to amendment H-8340, be adopted?" (S.F. 2311)

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heaton	Heddens
Hunter	Isenhart	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 54:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

Amendment H-8422, to amendment H-8340, lost.

Isenhart of Dubuque offered amendment H-8423, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8423 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8423 not germane, to amendment H-8340.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8423, to amendment H-8340.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8423, to amendment H-8340.

Roll call was requested by Isenhart of Dubuque and Bearinger of Fayette.

On the question "Shall the rules be suspended to consider amendment H-8423, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes Gaines Sieck Upmeyer, Spkr.

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Isenhart of Dubuque offered amendment H-8424, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8424 was not germane, to amendment H-8340.

The Speaker ruled the point not well taken and amendment H-8424 germane, to amendment H-8340.

Isenhart of Dubuque moved the adoption of amendment H-8424, to amendment H-8340.

Roll call was requested by Isenhart of Dubuque and Prichard of Floyd.

On the question "Shall amendment H-8424, to amendment H-8340, be adopted?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa

Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

Amendment H-8424, to amendment H-8340, lost.

Hunter of Polk offered amendment H-8426, to amendment H-8340, filed by him from the floor.

Bergan of Winneshiek rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Carlson of Muscatine rose on a point of order that amendment H-8426 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8426 not germane, to amendment H-8340.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8426, to amendment H-8340.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8426, to amendment H-8340.

Roll call was requested by Hunter of Polk and Bearinger of Fayette.

On the question "Shall the rules be suspended to consider amendment H-8426, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bosman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Mascher of Johnson offered amendment H-8427, to amendment H-8340, filed by her from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8427 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8427 not germane, to amendment H-8340.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8427, to amendment H-8340.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8427, to amendment H-8340.

Roll call was requested by Mascher of Johnson and Steckman of Cerro Gordo.

On the question "Shall the rules be suspended to consider amendment H-8427, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton

Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Isenhart of Dubuque offered amendment H-8428, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8428 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8428 not germane, to amendment H-8340.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8428, to amendment H-8340.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8428, to amendment H-8340.

Roll call was requested by Isenhart of Dubuque and Bearer of Fayette.

On the question "Shall the rules be suspended to consider amendment H-8428, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearer	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.

Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Wolfe of Clinton offered amendment H-8429, to amendment H-8340, filed by her from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8429 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8429 not germane, to amendment H-8340.

Wolfe of Clinton asked for unanimous consent to suspend the rules to consider amendment H-8429, to amendment H-8340.

Objection was raised.

Wolfe of Clinton moved to suspend the rules to consider amendment H-8429, to amendment H-8340.

Roll call was requested by Wolfe of Clinton and Running-Marquardt of Linn.

On the question "Shall the rules be suspended to consider amendment H-8429, to amendment H-8340?" (S.F. 2311)

The ayes were, 37:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Miller, H.	Miller, P.	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 5:

Forbes	Gaines	Meyer	Sieck
Upmeyer, Spkr.			

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Isenhart of Dubuque offered amendment H-8431, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8431 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8431 not germane, to amendment H-8340.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8431, to amendment H-8340.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8431, to amendment H-8340.

Roll call was requested by Isenhart of Dubuque and Oldson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8431, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossmann
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren

Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4 :

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

R. Smith of Black Hawk offered amendment H-8432, to amendment H-8340, filed by him from the floor and moved its adoption.

Amendment H-8432, to amendment H-8340, lost.

Kearns of Lee offered amendment H-8434, to amendment H-8340, filed by him from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8434 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8434 not germane, to amendment H-8340.

Kearns of Lee asked for unanimous consent to suspend the rules to consider amendment H-8434, to amendment H-8340.

Objection was raised.

Kearns of Lee moved to suspend the rules to consider amendment H-8434, to amendment H-8340.

Roll call was requested by Kearns of Lee and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8434, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomngdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes	Gaines	Sieck	Upmeyer, Spkr.
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Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Bennett of Linn offered amendment H-8435, to amendment H-8340, filed by her from the floor.

Carlson of Muscatine rose on a point of order that amendment H-8435 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8435 not germane, to amendment H-8340.

Bennett of Linn asked for unanimous consent to suspend the rules to consider amendment H-8435, to amendment H-8340.

Objection was raised.

Bennett of Linn moved to suspend the rules to consider amendment H-8435, to amendment H-8340.

Roll call was requested by Bennett of Linn and Breckenridge of Jasper.

On the question "Shall the rules be suspended to consider amendment H-8435, to amendment H-8340?" (S.F. 2311)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 4:

Forbes

Gaines

Sieck

Upmeyer, Spkr.

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8346, to amendment H-8340, filed by him on April 3, 2018.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8356, to amendment H-8340, filed by him on April 3, 2018.

Mascher of Johnson offered amendment H-8430, to amendment H-8340, filed by her from the floor.

Watts of Dallas rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Carlson of Muscatine rose on a point of order that amendment H-8430 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8430 not germane, to amendment H-8340.

Mascher of Johnson asked for unanimous consent to suspend the rules to consider amendment H-8430, to amendment H-8340.

Objection was raised.

Mascher of Johnson moved to suspend the rules to consider amendment H-8430, to amendment H-8340.

Roll call was requested by Mascher of Johnson and Prichard of Floyd.

On the question "Shall the rules be suspended to consider amendment H-8430, to amendment H-8340?" (S.F. 2311)

The ayes were, 37:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Miller, H.	Miller, P.	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bosman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 5:

Forbes	Gaines	Meyer	Sieck
Upmeyer, Spkr.			

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Steckman of Cerro Gordo offered amendment H-8433, to amendment H-8340, filed by her from the floor.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Baltimore of Boone rose on a point of order that amendment H-8433 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8433 not germane, to amendment H-8340.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8358, to amendment H-8340, filed by him on April 3, 2018.

Watts of Dallas offered amendment H-8406, to amendment H-8340, filed by him.

Isenhardt of Dubuque rose on a point of order that amendment H-8406 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8406 not germane, to amendment H-8340.

Watts of Dallas asked for unanimous consent to suspend the rules to consider amendment H-8406, to amendment H-8340.

Objection was raised.

Watts of Dallas moved to suspend the rules to consider amendment H-8406, to amendment H-8340.

Roll call was requested by M. Smith of Marshall and Wheeler of Sioux.

On the question "Shall the rules be suspended to consider amendment H-8406, to amendment H-8340?" (S.F. 2311)

The ayes were, 52:

Bacon	Baudler	Baxter	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow

Hager	Hanusa	Heartsill	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Bergan	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Koester	Kressig	Kurth
Lensing	Mascher	McConkey	Miller, H.
Miller, P.	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 7:

Baltimore	Forbes	Gaines	Heaton
Meyer	Sieck	Upmeyer, Spkr.	

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules prevailed.

Cownie of Polk in the chair at 3:14 a.m.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Watts of Dallas moved the adoption of amendment H-8406, to amendment H-8340.

Roll call was requested by M. Smith of Marshall and Hunter of Polk.

On the question "Shall amendment H-8406, to amendment H-8340, be adopted?" (S.F. 2311)

The ayes were, 22:

Baltimore	Baudler	Baxter	Fisher
Gassman	Gustafson	Hagenow	Hager
Heartsill	Highfill	Holt	Jacobsen
Kerr	Lundgren	Moore	Pettengill
Rogers	Salmon	Sheets	Watts
Wheeler	Windschitl		

The nays were, 72:

Abdul-Samad	Anderson	Bacon	Bearinger
Bennett	Bergan	Best	Bloomingdale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fry	Gaskill	Grassley	Hall
Hanusa	Heaton	Heddens	Hein
Hinson	Holz	Hunter	Huseman
Isenhardt	Jacoby	Jones	Kacena
Kaufmann	Kearns	Klein	Koester
Kressig	Kurth	Landon	Lensing
Mascher	Maxwell	McConkey	McKean
Miller, H.	Miller, P.	Mohr	Mommsen
Nunn	Oldson	Olson	Ourth
Paustian	Prichard	Rizer	Running-Marquardt
Sexton	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Zumbach	Cownie, Presiding

Absent or not voting, 5:

Forbes	Gaines	Meyer	Sieck
Upmeyer, Spkr.			

Rule 76 invoked, 1:

Nielsen

Amendment H-8406, to amendment H-8340 lost.

Carlson of Muscatine asked and received unanimous consent to withdraw amendment H-8350, to amendment H-8340, filed by him on April 3, 2018.

Carlson of Muscatine asked and received unanimous consent to withdraw amendment H-8359, to amendment H-8340, filed by him on April 3, 2018.

Carlson of Muscatine asked and received unanimous consent to withdraw amendment H-8379, to amendment H-8340, filed by him on April 11, 2018.

Carlson of Muscatine asked and received unanimous consent to withdraw amendment H-8381, to amendment H-8340, filed by him on April 12, 2018.

Oldson of Polk asked and received unanimous consent to withdraw amendment H-8365, to amendment H-8340, filed by Forbes of Polk on April 4, 2018.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-8380, to amendment H-8340, filed by him on April 12, 2018.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8345, to amendment H-8340, filed by him on April 3, 2018.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8344, to amendment H-8340, filed by him on April 3, 2018.

Oldson of Polk asked and received unanimous consent to withdraw amendment H-8367, to amendment H-8340, filed by Forbes of Polk on April 4, 2018.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8348, to amendment H-8340, filed by him on April 3, 2018.

Carlson of Muscatine offered amendment H-8414, to amendment H-8340, filed by him from the floor.

Hunter of Polk requested a division to amendment H-8414, to amendment H-8340, as follows:

Division A: Page 1, lines 3 through 17; Page 1, line 22 through Page 5, line 22; Page 6, lines 10 through 14.

Division B: Page 1, lines 18 through 21; Page 5, lines 23 through Page 6, line 9.

Carlson of Muscatine moved the adoption of amendment H-8414A, to amendment H-8340.

Amendment H-8414A, to amendment H-8340, was adopted.

Carlson of Muscatine moved the adoption of amendment H-8414B, to amendment H-8340.

Roll call was requested by Oldson of Polk and Steckman of Cerro Gordo.

On the question "Shall amendment H-8414B, to amendment H-8340, be adopted?" (S.F. 2311)

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomngdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 5:

Forbes	Gaines	Meyer	Sieck
Upmeyer, Spkr.			

Rule 76 invoked, 1:

Nielsen

Amendment H-8414B, to amendment H-8340, was adopted.

Windschitl of Harrison in the chair at 3:57 a.m.

Oldson of Polk offered amendment H-8366, to amendment H-8340, filed by her and moved its adoption.

Amendment H-8366, to amendment H-8340 lost.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8357, to amendment H-8340, filed by him on April 3, 2018.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8355, to amendment H-8340, filed by him on April 3, 2018.

Staed of Linn offered amendment H-8425, to amendment H-8340, filed by him from the floor.

Baudler of Adair rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Carlson of Muscatine rose on a point of order that amendment H-8425 was not germane, to amendment H-8340.

The Speaker ruled the point well taken and amendment H-8425 not germane, to amendment H-8340.

Staed of Linn asked for unanimous consent to suspend the rules to consider amendment H-8425, to amendment H-8340.

Objection was raised.

Staed of Linn moved to suspend the rules to consider amendment H-8425, to amendment H-8340.

Roll call was requested by Staed of Linn and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8425, to amendment H-8340?" (S.F. 2311)

The ayes were, 36:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Miller, H.	Miller, P.	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 6:

Forbes	Gaines	Meyer	Sieck
Upmeyer, Spkr.	Wolfe		

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules lost.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8349, to amendment H-8340, filed by him on April 3, 2018.

Oldson of Polk rose on a point of order that amendment H-8340, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-8340, as amended, not germane.

Carlson of Muscatine asked for unanimous consent to suspend the rules to consider amendment H-8340, as amended.

Objection was raised.

Carlson of Muscatine moved to suspend the rules to consider amendment H-8340, as amended.

Roll call was requested by Carlson of Muscatine and Oldson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8340, as amended?" (S.F. 2311)

The ayes were, 56:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Gaskill	Hall	Heddens	Hunter

Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Miller, H.	Miller, P.	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 5:

Forbes	Gaines	Meyer	Sieck
Upmeyer, Spkr.			

Rule 76 invoked, 1:

Nielsen

The motion to suspend the rules prevailed.

Carlson of Muscatine moved the adoption of amendment H-8340, as amended.

Amendment H-8340, as amended, was adopted, placing out of order amendments H-8268 filed by the committee on Commerce on March 15, 2018, previously deferred; H-8306 filed by Vander Linden of Mahaska on March 21, 2018; H-8330, H-8331 and H-8334 filed by Isenhart of Dubuque on March 27, 2018; and H-8342 filed by Kressig of Black Hawk on April 2, 2018.

Carlson of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2311)

The ayes were, 52:

Bacon	Baltimore	Baudler	Baxter
Best	Bloomingtondale	Bossman	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Fry	Gassman	Grassley	Gustafson
Hagenow	Hager	Hanusa	Heartsill
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester

Landon	Lundgren	Maxwell	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Vander Linden	Watts
Wheeler	Wills	Worthan	Windschitl, Presiding

The nays were, 42:

Abdul-Samad	Anderson	Bearinger	Bennett
Bergan	Breckenridge	Brown-Powers	Cohoon
Finkenauer	Gaskill	Hall	Heaton
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	McKean
Miller, H.	Miller, P.	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe	Zumbach		

Absent or not voting, 5:

Forbes	Gaines	Meyer	Sieck
Upmeyer, Spkr.			

Rule 76 invoked, 1:

Nielsen

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2311** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Finkenauer of Dubuque	Forbes of Polk
Gaines of Polk	Meyer of Polk
Sieck of Mills	Upmeyer, Spkr.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 26, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 648, an Act relating to career and technical education programs and partnerships and including effective date provisions.

House File 2442, an Act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Senate File 2389, an Act authorizing the department of natural resources to establish certain fees at state parks and recreation areas.

AMENDMENTS FILED

H-8410	H.F.	2493	Best of Carroll
H-8411	H.F.	2493	Best of Carroll
H-8412	H.F.	2493	Hall of Woodbury
H-8413	H.F.	2492	Olson of Polk
H-8414	S.F.	2311	Carlson of Muscatine
H-8415	S.F.	2311	Kressig of Black Hawk
H-8416	S.F.	2311	Gaskill of Wapello
H-8417	S.F.	2311	Hunter of Polk
H-8418	S.F.	2311	Steckman of Cerro Gordo
H-8419	S.F.	2311	Anderson of Polk
H-8420	S.F.	2311	Ourth of Warren
H-8421	S.F.	2311	Isenhart of Dubuque
H-8422	S.F.	2311	Oldson of Polk
H-8423	S.F.	2311	Isenhart of Dubuque
H-8424	S.F.	2311	Isenhart of Dubuque
H-8425	S.F.	2311	Staed of Linn
H-8426	S.F.	2311	Hunter of Polk
H-8427	S.F.	2311	Mascher of Johnson
H-8428	S.F.	2311	Isenhart of Dubuque
H-8429	S.F.	2311	Wolfe of Clinton
H-8430	S.F.	2311	Mascher of Johnson
H-8431	S.F.	2311	Isenhart of Dubuque
H-8432	S.F.	2311	R. Smith of Black Hawk
H-8433	S.F.	2311	Steckman of Cerro Gordo
H-8434	S.F.	2311	Kearns of Lee
H-8435	S.F.	2311	Bennett of Linn

On motion by Hagenow of Polk, the House adjourned at 5:11 a.m., until 5:41 a.m., Friday, April 27, 2018.

JOURNAL OF THE HOUSE

One Hundred-tenth Calendar Day - Seventy-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 27, 2018

The House met pursuant to adjournment at 5:42 a.m., Windschitl of Harrison in the chair.

Prayer was offered by Windschitl of Harrison.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Windschitl of Harrison.

On motion by Hagenow of Polk, the House adjourned at 5:43 a.m., until 1:00 p.m., Monday, April 30, 2018.

JOURNAL OF THE HOUSE

One Hundred-thirteenth Calendar Day - Seventy-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 30, 2018

The House met pursuant to adjournment at 1:02 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Ourth of Warren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jack Lucas, Majority Leader's Page from Johnston.

The Journals of Thursday, April 26, 2018 and Friday, April 27, 2018, were approved.

On motion by Hagenow of Polk, the House was recessed at 1:25 pm., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 5:25 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 30, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2377, a bill for an act relating to the regulation of certain substances, including the regulation of the practice of pharmacy, providing penalties, and including effective date provisions.

Also: That the Senate has on April 30, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2353, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

Also: That the Senate has on April 30, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2407, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 2496, by committee on Appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions.

Read first time and placed on the **Appropriations calendar**.

House File 2497, by committee on Appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Read first time and placed on the **Appropriations calendar**.

Windschitl of Harrison in the chair at 5:46 p.m.

CONSIDERATION OF BILLS

Appropriations Calendar

House File 2495, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Worthan of Buena Vista offered amendment H-8438 filed by him from the floor and moved its adoption.

Amendment H-8438 was adopted.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2495)

The ayes were, 56:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 3:

Bacon	Baudler	Bossmann
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2492, a bill for an act relating to appropriations to the justice system, was taken up for consideration.

Worthan of Buena Vista asked and received unanimous consent to withdraw amendment H-8437 filed by him from the floor, placing out of order amendment H-8442, to amendment H-8437, filed by Olson of Polk from the floor.

Worthan of Buena Vista offered amendment H-8443 filed by him from the floor.

Olson of Polk offered amendment H-8444, to amendment H-8443, filed by him from the floor and moved its adoption.

Amendment H-8444, to amendment H-8443, lost.

Hunter of Polk requested a division to amendment H-8443 as follows:

Division A: Page 1, lines 2 through 19; Page 2, lines 11 through 20.

Division B: Page 1, lines 20 through 35 through Page 2, line 10.

Worthan of Buena Vista moved the adoption of amendment H-8443A.

Amendment H-8443A was adopted.

Worthan of Buena Vista moved the adoption of amendment H-8443B.

Roll call was requested by Breckenridge of Jasper and Hunter of Polk.

On the question "Shall amendment H-8443B be adopted?" (H.F. 2492)

The ayes were, 93:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Breckenridge	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Jacobsen	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen

Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 2:

Jacoby	Smith, R.
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Absent or not voting, 5:

Bacon	Baudler	Bossman	Finkenauer
Isenhardt			

Amendment H–8443B was adopted, placing out of order amendment H–8413 filed by Olson of Polk on April 26, 2018.

Kearns of Lee offered amendment H–8440 filed by him from the floor and moved its adoption.

Roll call was requested by Kearns of Lee and M. Smith of Marshall.

On the question "Shall amendment H–8440 be adopted?" (H.F. 2492)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Forbes
Gaines	Gaskill	Hall	Heddens
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler		

The nays were, 58:

Baltimore	Baxter	Bergan	Best
Bloomington	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager

Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 4:

Bacon	Baudler	Bossman	Finkenauer
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Amendment H-8440 lost.

Abdul-Samad of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2492)

The ayes were, 56:

Baltimore	Baxter	Bergan	Best
Bloomington	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Forbes
Gaines	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Jones
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 4:

Bacon	Baudler	Bossman	Finkenauer
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2492 and 2495.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bacon of Story	Baudler of Adair
Bossman of Woodbury	Finkenauer of Dubuque

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 697 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

H.S.B. 698 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 697), relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** April 30, 2018.

Committee Bill (Formerly House Study Bill 698), relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** April 30, 2018.

AMENDMENTS FILED

H-8436	S.F.	359	Lundgren of Dubuque
H-8437	H.F.	2492	Worthan of Buena Vista
H-8438	H.F.	2495	Worthan of Buena Vista
H-8439	H.F.	2377	Senate amendment
H-8440	H.F.	2492	Kearns of Lee
H-8441	S.F.	359	Lundgren of Dubuque
H-8442	H.F.	2492	Olson of Polk
H-8443	H.F.	2492	Worthan of Buena Vista
H-8444	H.F.	2492	Olson of Polk

On motion by Hagenow of Polk, the House adjourned at 7:05 p.m., until 8:30 a.m., Tuesday, May 1, 2018.

JOURNAL OF THE HOUSE

One Hundred-fourteenth Calendar Day - Seventy-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 1, 2018

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Thede of Scott.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Madison DeWitt, Speaker's Page from Spencer.

The Journal of Monday, April 30, 2018, was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 30, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2311, a bill for an act modifying various provisions relating to public utilities, providing for a study of electric vehicle infrastructure support, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILL

House File 2498, by Isenhardt, a bill for an act creating an agricultural land, soils, water quality, and farm tenure initiative committee to conduct a study and make recommendations to improve the manner in which farm tenants may profitably grow agricultural products using leased agricultural land while providing for the sustainability and quality of this state's natural resources.

Read first time and referred to committee on **Agriculture**.

SENATE MESSAGE CONSIDERED

Senate File 2407, by committee on Ways and Means, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

On motion by Nunn of Polk, the House was recessed at 8:35 a.m., until 12:00 p.m.

AFTERNOON SESSION

The House reconvened at 12:11 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 12:24 p.m., until the fall of the gavel.

The House resumed session at 1:47 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILL

House File 2499, by committee on Appropriations, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Read first time and placed on the **Appropriations calendar**.

CONSIDERATION OF BILL
Unfinished Business Calendar

Senate File 359, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Lundgren of Dubuque offered amendment H-8269 filed by the committee on Human Resources.

Wessel-Kroeschell of Story offered amendment H-8296, to the committee amendment H-8269, filed by her.

Lundgren of Dubuque rose on a point of order that amendment H-8296 was not germane, to the committee amendment H-8269.

The Speaker ruled the point well taken and amendment H-8296 not germane, to the committee amendment H-8269.

Wessel-Kroeschell of Story asked for unanimous consent to suspend the rules to consider amendment H-8296, to the committee amendment H-8269.

Objection was raised.

Wessel-Kroeschell of Story moved to suspend the rules to consider amendment H-8296, to the committee amendment H-8269.

Roll call was requested by Wessel-Kroeschell of Story and Meyer of Polk.

On the question "Shall the rules be suspended to consider amendment H-8296, to the committee amendment H-8269?" (S.F. 359)

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, P.	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe	Zumbach	

The nays were, 54:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt

Holz	Huseman	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Vander Linden
Watts	Wheeler	Wills	Windschitl
Worthan	Speaker Upmeyer		

Absent or not voting, 3:

Bacon	Baudler	Jacobsen
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The motion to suspend the rules lost.

Lundgren of Dubuque offered amendment H-8441, to the committee amendment H-8269, filed by her.

Wessel-Kroeschell of Story rose on a point of order that amendment H-8441 was not germane, to the committee amendment H-8269.

The Speaker ruled the point well taken and amendment H-8441 not germane, to the committee amendment H-8269.

Lundgren of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8441, to the committee amendment H-8269.

Objection was raised.

Lundgren of Dubuque moved to suspend the rules to consider amendment H-8441, to the committee amendment H-8269.

Roll call was requested by Lundgren of Dubuque and Meyer of Polk.

On the question "Shall the rules be suspended to consider amendment H-8441, to the committee amendment H-8269?" (S.F. 359)

The ayes were, 53:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow

Hager	Hanusa	Heartsill	Heaton
Highfill	Hinson	Holt	Holz
Huseman	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Speaker Upmeyer			

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hein	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	Zumbach

Absent or not voting, 3:

Bacon	Baudler	Jacobsen
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The motion to suspend the rules prevailed.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Lundgren of Dubuque moved the adoption of amendment H-8441, to the committee amendment H-8269.

Roll call was requested by Wessel-Kroeschell of Story and Meyer of Polk.

On the question "Shall amendment H-8441, to the committee amendment H-8269, be adopted?" (S.F. 359)

The ayes were, 53:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Highfill	Hinson	Holt	Holz
Huseman	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Speaker			
Upmeyer			

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hein	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	Zumbach

Absent or not voting, 3:

Bacon	Baudler	Jacobsen
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Amendment H-8441, to the committee amendment H-8269, was adopted, placing out of order amendment H-8295 filed by Wessel-Kroeschell of Story on March 20, 2018; amendment H-8300 to amendment H-8295 filed by Wessel-Kroeschell of Story on March 20, 2018; amendment H-8313 filed by Rizer of Linn on March 26, 2018; amendment H-8362, to amendment H-8313, filed by Rizer of Linn on April 4, 2018; amendment H-8436, to the committee amendment H-8269, filed by Lundgren of Dubuque on April 30, 2018.

The House stood at ease at 2:10 p.m., until the fall of the gavel.

The House resumed session at 3:03 p.m., Windschitl of Harrison in the chair.

Amendment H-8446, to the committee amendment H-8269, filed by Hinson of Linn from the floor, was ruled out of order.

Mommsen of Clinton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

The House stood at ease at 4:20 p.m., until the fall of the gavel.

The House resumed session at 5:01 p.m., Windschitl of Harrison in the chair.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Meyer of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Kaufmann of Cedar rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Bennett of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Speaker Upmeyer in the chair at 7:29 p.m.

M. Smith of Marshall rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Lundgren of Dubuque rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Holt of Crawford rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Windschitl of Harrison in the chair at 8:08 p.m.

Watts of Dallas rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Lundgren of Dubuque moved the adoption of the committee amendment H-8269, as amended.

The committee amendment H-8269, as amended, was adopted.

The House stood at ease at 9:11 p.m., until the fall of the gavel.

The House resumed session at 9:42 p.m., Windschitl of Harrison in the chair.

Lundgren of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 359)

The ayes were, 51:

Baxter	Bergan	Best	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Mohr
Mommsen	Moore	Nunn	Paustian

Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Windschitl, Presiding	

The nays were, 46:

Abdul-Samad	Anderson	Baltimore	Bearinger
Bennett	Bloomingtondale	Breckenridge	Brown-Powers
Cohoon	Finkenauer	Forbes	Gaskill
Hall	Heddens	Hein	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe	Zumbach		

Absent or not voting, 3:

Bacon	Baudler	Gaines
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The bill having received a constitutional majority was declared to have passed the House.

Mascher of Johnson objected to the title.

The objection was withdrawn and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 359** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bacon of Story	Baudler of Adair
Gaines of Polk	Jacobsen of Pottawattamie

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 699 Appropriations

Relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2390

Ways and Means: Baltimore, Chair; Bergan and Gaskill.

Senate File 2407

Ways and Means: Holt, Chair; Kaufmann and McConkey.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 696

Ways and Means: Mohr, Chair; Bloomingdale and Jacoby.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 699), relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Fiscal Note: **No**

Recommendation: **Do Pass** May 1, 2018.

RESOLUTIONS FILED

H.R. 116, by Anderson, Staed, Mascher, Kurth, Meyer, Lensing, Winckler, Cohoon, Bearinger, T. Taylor, Ourth, and Kearns, a resolution recognizing the importance of access to the Iowa State Capitol in encouraging public involvement in the legislative process.

Laid over under **Rule 25**.

H.R. 117, by Wessel-Kroeschell, a resolution requesting that the legislative council establish a multistakeholder legislative interim study committee to identify compensation enhancement strategies for those who work in the high-demand occupation of direct care.

Laid over under **Rule 25**.

H.R. 118, by Nunn, a resolution designating the week of September 24 through 29, 2018, as the sesquicentennial celebration of the Iowa Supreme Court's decision in *Clark v. Board of Directors*.

Laid over under **Rule 25**.

H.R. 119, by Anderson, a resolution urging Iowa's congressional delegation to take all necessary measures to limit the authority of any President of the United States to order a preemptive launch of nuclear weapons.

Laid over under **Rule 25**.

H.R. 120, by Anderson, Gaskill, Cohoon, Wolfe, Winckler, Lensing, Staed, Kurth, Hunter, Jacoby, Olson, Kressig, Mascher, Forbes, and McConkey, a resolution requesting the legislative council to establish an interim study committee to study renewable energy use in state buildings and facilities.

Laid over under **Rule 25**.

H.R. 121, by Anderson, McConkey, Gaskill, Mascher, T. Taylor, Hunter, Heddens, Bearinger, P. Miller, Steckman, Prichard, Running-Marquardt, Oldson, H. Miller, Wessel-Kroeschell, Jacoby, Nielsen, Hall, Kacena, Thede, Breckenridge, Staed, Kearns, Cohoon, M. Smith, Kressig, Heaton,

Kurth, Olson, Lensing, Isenhart, Brown-Powers, and R. Smith, a resolution recognizing and congratulating Andie Dominick on winning the 2018 Pulitzer Prize in editorial writing.

Laid over under **Rule 25**.

H.R. 122, by M. Smith, Staed, Lensing, Steckman, Kurth, Thede, Isenhart, Mascher, Hunter, Anderson, Bearinger, Heddens, Kearns, Cohoon, Oldson, Jacoby, R. Smith, Brown-Powers, McConkey, T. Taylor, Gaskill, Breckenridge, Forbes, H. Miller, Meyer, Gaines, Wolfe, Prichard, Wessel-Kroeschell, Olson, Kressig, Abdul-Samad, Kacena, Nielsen, Hall, and Winckler, a resolution calling on President Donald Trump and the United States Congress to immediately engage in constructive dialogue and to negotiate beneficial trade regulations with other countries in order to discontinue trade practices that have an adverse impact on the people of Iowa and on Iowa's economy.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8445	H.F.	2496	McKean of Jones
H-8446	S.F.	359	Hinson of Linn
H-8447	S.F.	2316	Pettengill of Benton
H-8448	H.F.	2497	Pettengill of Benton
H-8449	H.F.	2497	Cohoon of Des Moines
H-8450	H.F.	2497	Breckenridge of Jasper Cohoon of Des Moines
H-8451	S.F.	2298	Best of Carroll
H-8452	H.F.	2496	Dolecheck of Ringgold
H-8453	H.F.	2377	Isenhart of Dubuque

On motion by Hagenow of Polk, the House adjourned at 11:07 p.m., until 8:30 a.m., Wednesday, May 2, 2018.

JOURNAL OF THE HOUSE

One Hundred-fifteenth Calendar Day - Seventy-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 2, 2018

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Salmon of Black Hawk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Claire Terhaar, Chief Clerk's Page from Winterset.

The Journal of Tuesday, May 1, 2018, was approved.

The House stood at ease at 8:36 a.m., until the fall of the gavel.

The House resumed session at 10:57 a.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 1, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2491, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

Also: That the Senate has on May 1, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2494, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions.

Also: That the Senate has on May 1, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2495, a bill for an act relating to appropriations to the judicial branch.

Also: That the Senate has on May 1, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 359, a bill for an act prohibiting and requiring certain actions relating to a fetus and proving penalties.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 2298, a bill for an act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties, with report of committee recommending passage, was taken up for consideration.

Best of Carroll asked and received unanimous consent to withdraw amendment H-8451 filed by him on May 1, 2018.

Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2298)

The ayes were, 92:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Deyoe	Dolecheck
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson

Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 8:

Bacon	Baudler	Cownie	Finkenauer
Gaines	Heddens	Rogers	Zumbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2322, a bill for an act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs, with report of committee recommending passage, was taken up for consideration.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2322)

The ayes were, 92:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Deyoe	Dolecheck
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Mohr	Mommsen

Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 8:

Bacon	Baudler	Cownie	Finkenauer
Gaines	Heddens	Rogers	Zumbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

House File 2486, a bill for an act exempting from the sales tax the sale of instructional materials required for use in a course of instruction at a postsecondary institution in this state, was taken up for consideration.

Kaufmann of Cedar offered amendment H-8409 filed by him and moved its adoption.

Amendment H-8409 was adopted.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2486)

The ayes were, 93:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson

Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhart	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 7:

Bacon	Baudler	Cownie	Gaines
Heddens	Rogers	Zumbach	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT CONSIDERED House Concurred

Lundgren of Dubuque called up for consideration **House File 2377**, a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions, amended by the Senate amendment H-8439.

Isenhart of Dubuque offered amendment H-8453, to the Senate amendment H-8439, filed by him.

Windschitl of Harrison in the chair at 11:46 a.m.

Lundgren of Dubuque rose on a point of order that amendment H-8453 was not germane, to the Senate amendment H-8439.

The Speaker ruled the point well taken and amendment H-8453 not germane, to the Senate amendment H-8439.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8453, to the Senate amendment H-8439.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8453, to the Senate amendment H-8439.

Roll call was requested by Isenhart of Dubuque and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8453, to the Senate amendment H-8439?" (H.F. 2377)

The ayes were, 39:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaskill	Hall	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

The nays were, 55:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl,	
		Presiding	

Absent or not voting, 6:

Bacon	Baudler	Cownie	Gaines
Heddens	Rogers		

The motion to suspend the rules lost.

Wills of Dickinson rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Lundgren of Dubuque moved that the House concur in the Senate amendment H-8439.

The motion prevailed and the House concurred in the Senate amendment H-8439.

Lundgren of Dubuque moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2377)

The ayes were, 95:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Bacon
Rogers

Baudler

Cownie

Gaines

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

House File 2455, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers, was taken up for consideration.

Pettengill of Benton offered amendment H-8173 filed by her and moved its adoption.

Amendment H-8173 was adopted, placing out of order amendment H-8149 filed by Staed of Linn on February 28, 2018 and amendment H-8154 filed by Staed of Linn on March 1, 2018.

SENATE FILE 2316 SUBSTITUTED FOR HOUSE FILE 2455

Pettengill of Benton asked and received unanimous consent to substitute Senate File 2316 for House File 2455.

Senate File 2316, a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers, was taken up for consideration.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8397 filed by her on April 24, 2018.

Staed of Linn asked and received unanimous consent that amendment H-8164 be deferred.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8372 filed by her on April 10, 2018.

Pettengill of Benton offered amendment H-8447 filed by her and moved its adoption.

Amendment H-8447 was adopted.

Pettengill of Benton offered amendment H-8454 filed by her from the floor and moved its adoption.

Amendment H-8454 was adopted.

Staed of Linn asked and received unanimous consent to withdraw amendment H-8164 filed by him on March 5, 2018, previously deferred.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2316)

The ayes were, 95:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossmann	Breckenridge	Brown-Powers
Carlson	Cohoon	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Bacon	Baudler	Cownie	Gaines
Rogers			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 2388, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Baltimore of Boone offered amendment H-8377 filed by the committee on Ways and Means and moved its adoption.

The committee amendment H-8377 was adopted.

Baltimore of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2388)

The ayes were, 60:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bosman	Breckenridge	Carlson
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jacoby
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Meyer	Miller, H.	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

The nays were, 35:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Heddens	Hunter
Isenhardt	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	McConkey
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 5:

Bacon	Baudler	Cownie	Gaines
Rogers			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2377, 2486** and **Senate Files 2298, 2316, 2322** and **2388**.

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2455 from further consideration by the House.

On motion by Hagenow of Polk, the House was recessed at 12:35 p.m., until the conclusion of the committee on Ways and Means.

EVENING SESSION

The House reconvened at 6:22 p.m., Windschitl of Harrison in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2416, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILL

House File 2500, by committee on Ways and Means, a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

SENATE MESSAGE CONSIDERED

Senate File 2416, by committee on Appropriations, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Read first time and **passed on file**.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of House File 2499.

CONSIDERATION OF BILL

Appropriations Calendar

House File 2499, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, was taken up for consideration.

Landon of Polk offered amendment H-8462 filed by him from the floor and moved its adoption.

Amendment H-8462 was adopted.

T. Taylor of Linn offered amendment H-8456 filed by him from the floor.

Landon of Polk rose on a point of order that amendment H-8456 was not germane.

The Speaker ruled the point well taken and amendment H-8456 not germane.

T. Taylor of Linn asked for unanimous consent to suspend the rules to consider amendment H-8456.

Objection was raised.

T. Taylor of Linn moved to suspend the rules to consider amendment H-8456.

Roll call was requested by T. Taylor of Linn and M. Smith of Marshall.

On the question "Shall the rules be suspended to consider amendment H-8456?" (H.F. 2499)

The ayes were, 37:

Anderson	Bearinger	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 54:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen

Moore	Nunn	Paustian	Pettengill
Rizer	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 9:

Abdul-Samad	Bacon	Baudler	Cownie
Gaines	Hanusa	Miller, H.	Prichard
Rogers			

The motion to suspend the rules lost.

Hunter of Polk offered amendment H-8457 filed by him from the floor.

Landon of Polk rose on a point of order that amendment H-8457 was not germane.

The Speaker ruled the point well taken and amendment H-8457 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8457.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8457.

Roll call was requested by Hunter of Polk and Hall of Woodbury.

On the question "Shall the rules be suspended to consider amendment H-8457?" (H.F. 2499)

The ayes were, 37:

Anderson	Bearinger	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt

Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 53:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossmann	Carlson	Deyoe
Dolecheck	Fisher	Gassman	Grassley
Gustafson	Hagenow	Hager	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 10:

Abdul-Samad	Bacon	Baudler	Cownie
Fry	Gaines	Hanusa	Miller, H.
Prichard	Rogers		

The motion to suspend the rules lost.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8458 filed by her from the floor.

Hunter of Polk offered amendment H-8459 filed by him from the floor.

Landon of Polk rose on a point of order that amendment H-8459 was not germane.

The Speaker ruled the point well taken and amendment H-8459 not germane.

Hunter of Polk offered amendment H-8460 filed by him from the floor.

Landon of Polk rose on a point of order that amendment H-8460 was not germane.

The Speaker ruled the point well taken and amendment H-8460 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8460.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8460.

Roll call was requested by Hunter of Polk and Bearinger of Fayette.

On the question "Shall the rules be suspended to consider amendment H-8460?" (H.F. 2499)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 55:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worhan	Zumbach	Windschitl,	
		Presiding	

Absent or not voting, 7:

Bacon	Baudler	Cownie	Gaines
Miller, H.	Prichard	Rogers	

The motion to suspend the rules lost.

SENATE FILE 2416 SUBSTITUTED FOR HOUSE FILE 2499

Landon of Polk asked and received unanimous consent to substitute Senate File 2416 for House File 2499.

Senate File 2416, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, was taken up for consideration.

Landon of Polk offered amendment H-8464 filed by him from the floor and moved its adoption.

Roll call was requested by M. Smith of Marshall and Mascher of Johnson.

On the question "Shall amendment H-8464 be adopted?" (S.F. 2416)

The ayes were, 93:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohon	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Running-Marquardt	Salmon

Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 7:

Bacon	Baudler	Cownie	Gaines
Miller, H.	Prichard	Rogers	

Amendment H-8464 was adopted.

Landon of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2416)

The ayes were, 55:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaskill	Hall	Heddens
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth

Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 7:

Bacon	Baudler	Cownie	Gaines
Miller, H.	Prichard	Rogers	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2414, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

The House stood at ease at 7:28 p.m., until the fall of the gavel.

The House resumed session at 7:33 p.m., Windschitl of Harrison in the chair.

SENATE MESSAGE CONSIDERED

Senate File 2414, by committee on Appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Read first time and **passed on file**.

The House stood at ease at 7:33 p.m., until the fall of the gavel.

The House resumed session at 7:47 p.m., Windschitl of Harrison in the chair.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2416** be immediately messaged to the Senate.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of House File 2497.

CONSIDERATION OF BILLS
Appropriations Calendar

House File 2497, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, was taken up for consideration.

Huseman of Cherokee offered amendment H-8465 filed by him from the floor and moved its adoption.

Roll call was requested by Cohoon of Des Moines and Steckman of Cerro Gordo.

On the question "Shall amendment H-8465 be adopted?" (H.F. 2497)

The ayes were, 93:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn

Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 7:

Bacon	Baudler	Cownie	Gaines
Miller, H.	Prichard	Rogers	

Amendment H-8465 was adopted, placing out of order amendment H-8450 filed by Breckenridge of Jasper and Cohoon of Des Moines.

Isenhart of Dubuque offered amendment H-8463 filed by him from the floor and moved its adoption.

Roll call was requested by Isenhart of Dubuque and McConkey of Pottawattamie.

On the question "Shall amendment H-8463 be adopted?" (H.F. 2497)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaskill	Hall	Heddens
Hunter	Isenhart	Jacoby	Kacena
Kearns	Kressig	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 55:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossmann	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein

Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 7:

Bacon	Baudler	Cownie	Gaines
Miller, H.	Prichard	Rogers	

Amendment H-8463 lost.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8448 filed by her on May 1, 2018.

Cohon of Des Moines offered amendment H-8449 filed by him and moved its adoption.

Amendment H-8449 lost.

SENATE FILE 2414 SUBSTITUTED FOR HOUSE FILE 2497

Huseman of Cherokee asked and received unanimous consent to substitute Senate File 2414 for House File 2497.

Senate File 2414, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, was taken up for consideration.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2414)

The ayes were, 57:

Baltimore	Baxter	Bergan	Best
Bloomington	Bosman	Breckenridge	Carlson
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Miller, P.	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 36:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
McConkey	Meyer	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 7:

Bacon	Baudler	Cownie	Gaines
Miller, H.	Prichard	Rogers	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate File 2414** be immediately messaged to the Senate.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2497 and 2499 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bacon of Story	Baudler of Adair
Cownie of Polk	Finkenauer of Dubuque
Gaines of Polk	Heddens of Story
Miller, H. of Webster	Prichard of Floyd
Rogers of Black Hawk	Zumbach of Linn

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2390, a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** May 2, 2018.

Senate File 2400, a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** May 2, 2018.

Senate File 2407, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** May 2, 2018.

Committee Bill (Formerly House Study Bill 696), relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** May 2, 2018.

AMENDMENTS FILED

H-8454	S.F.	2316	Pettengill of Benton
H-8455	H.F.	2494	Senate amendment
H-8456	H.F.	2499	T. Taylor of Linn
H-8457	H.F.	2499	Hunter of Polk
H-8458	H.F.	2499	Mascher of Johnson
H-8459	H.F.	2499	Hunter of Polk
H-8460	H.F.	2499	Hunter of Polk
H-8461	S.F.	2382	Baltimore of Boone
H-8462	H.F.	2499	Landon of Polk
H-8463	H.F.	2497	Isenhardt of Dubuque
H-8464	S.F.	2416	Landon of Polk
H-8465	H.F.	2497	Huseman of Cherokee

On motion by Hagenow of Polk, the House adjourned at 8:46 p.m., until 8:30 a.m., Thursday, May 3, 2018.

JOURNAL OF THE HOUSE

One Hundred-sixteenth Calendar Day - Eightieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, May 3, 2018

The House met pursuant to adjournment at 8:33 a.m., Lundgren of Dubuque in the chair.

Prayer was offered by Fry of Clarke.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Steve Balderson, Sergeant-at-Arms.

The Journal of Wednesday, May 2, 2018, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2018, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2234, a bill for an act relating to shortening the periods of time for redeeming real property and relating to the statute of limitations period for executing judgements on claims for rent from foreclosure and delaying sale of foreclosed property.

Also: That the Senate has on May 2, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2475, a bill for an act relating to governmental ethics and the regulation of lobbyists and gifts and including effective date provisions.

Also: That the Senate has on May 2, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2488, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

Also: That the Senate has on May 2, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2492, a bill for an act relating to appropriations to the justice system, and including effective date provisions.

Also: That the Senate has on May 2, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 2493, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on May 2, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2415, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions.

W. CHARLES SMITHSON, Secretary

On motion by Wills of Dickinson, the House was recessed at 8:36 a.m., until 12:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:18 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILL

House File 2501, by committee on Appropriations, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

Read first time and placed on the **Appropriations calendar**.

SENATE MESSAGE CONSIDERED

Senate File 2415, by committee on Appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions.

Read first time and **passed on file**.

The House stood at ease at 3:40 p.m., until the fall of the gavel.

The House resumed session at 7:01 p.m., Windschitl of Harrison in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-one members present, nineteen absent.

INTRODUCTION OF BILL

House File 2502, by committee on Appropriations, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions.

Read first time and placed on the **Appropriations calendar**.

Hagenow of Polk asked for unanimous consent for the immediate consideration of House File 2500, Senate File 2390, Senate File 2400 and Senate File 2407.

Objection was raised.

Hagenow of Polk moved to suspend the rules to consider House File 2500, Senate File 2390, Senate File 2400 and Senate File 2407.

A non-record roll call was requested.

The ayes were 52, nays 33.

The motion to suspend the rules prevailed.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2500, a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions, was taken up for consideration.

McKean of Jones asked and received unanimous consent to withdraw amendment H-8480 filed by him from the floor.

Mohr of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 2500)

The ayes were, 88:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingdale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 2:

Highfill	Hunter
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Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2390, a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Baltimore of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2390)

The ayes were, 86:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingdale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 4:

Highfill	McKean	Pettengill	Wheeler
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Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2400, a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Bloomington of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2400)

The ayes were, 90:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomington
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2407, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Holt of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2407)

The ayes were, 84:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomington
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Hinson	Holt
Holz	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 6:

Highfill	Hunter	Kacena	Mascher
Taylor, T.	Wessel-Kroeschell		

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED House Concurred

Huseman of Cherokee called up for consideration **House File 2494**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8455.

The motion prevailed and the House concurred in the Senate amendment H-8455.

Huseman of Cherokee moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2494)

The ayes were, 90:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingdale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman

Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Upmeyer in the chair at 7:41 p.m.

Windschitl of Harrison in the chair at 8:22 p.m.

House Concurred

Worthan of Buena Vista called up for consideration **House File 2492**, a bill for an act relating to appropriations to the justice system, and including effective date provisions, amended by the Senate amendment H-8466.

Worthan of Buena Vista offered amendment H-8475, to the Senate amendment H-8466, filed by him from the floor and moved its adoption.

Roll call was requested by Breckenridge of Jasper and Bearinger of Fayette.

On the question "Shall amendment H-8475, to the Senate amendment H-8466, be adopted?" (H.F. 2492)

The ayes were, 90:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossmann	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

Amendment H-8475, to the Senate amendment H-8466, was adopted.

Meyer of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Worthan of Buena Vista moved that the House concur in the Senate amendment H-8466, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8466, as amended.

Worthan of Buena Vista moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2492)

The ayes were, 53:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 36:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Forbes	Gaskill
Hall	Hunter	Isenhart	Jacoby
Jones	Kacena	Kearns	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 11:

Bacon	Baudler	Bennett	Cownie
Finkenauer	Gaines	Heddens	Kressig
Prichard	Rizer	Rogers	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House Concurred

Best of Carroll called up for consideration **House File 2493**, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions, amended by the Senate amendment H-8467.

Best of Carroll offered amendment H-8478, to the Senate amendment H-8467, filed by him from the floor and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Hall of Woodbury.

On the question "Shall amendment H-8478, to the Senate amendment H-8467, be adopted?" (H.F. 2493)

The ayes were, 90:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Pautstian	Pettengill	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Upmeyer, Spkr.
Vander Linden	Watts	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

Amendment H-8478, to the Senate amendment H-8467, was adopted.

Best of Carroll moved that the House concur in the Senate amendment H-8467, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8467, as amended.

Best of Carroll moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2493)

The ayes were, 54:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worhan
Zumbach	Windschitl, Presiding		

The nays were, 36:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kurth

Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILL Appropriations Calendar

House File 2496, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions, was taken up for consideration.

Dolecheck of Ringgold offered amendment H-8452 filed by him and moved its adoption.

Amendment H-8452 was adopted.

McKean of Jones asked and received unanimous consent to withdraw amendment H-8445 filed by him on May 1, 2018.

SENATE FILE 2415 SUBSTITUTED FOR HOUSE FILE 2496

Dolecheck of Ringgold asked for unanimous consent to substitute Senate File 2415 for House File 2496.

Objection was raised.

Dolecheck of Ringgold moved that Senate File 2415 be substituted for House File 2496.

The motion prevailed.

Senate File 2415, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions, was taken up for consideration.

Hall of Woodbury offered amendment H-8470 filed by him from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and Hunter of Polk.

On the question "Shall amendment H-8470 be adopted?" (S.F. 2415)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Nunn
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, R.	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 52:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Paustian	Pettengill
Salmon	Sexton	Sheets	Sieck
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

Amendment H-8470 lost.

Winckler of Scott offered amendment H-8473 filed by Winckler, et al., from the floor and moved its adoption.

Roll call was requested by Winckler of Scott and Steckman of Cerro Gordo.

On the question "Shall amendment H-8473 be adopted?" (S.F. 2415)

The ayes were, 37:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 53:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Salmon	Sexton	Sheets
Sieck	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

Amendment H-8473 lost.

McKean of Jones asked and received unanimous consent to withdraw amendment H-8469 filed by him from the floor.

Winckler of Scott offered amendment H-8471 filed by her from the floor and moved its adoption.

Roll call was requested by Winckler of Scott and Hunter of Polk.

On the question "Shall amendment H-8471 be adopted?" (S.F. 2415)

The ayes were, 37:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Holt	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kurth	Lensing	Mascher	McConkey
Meyer	Miller, H.	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 53:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

Amendment H-8471 lost.

Highfill of Polk in the chair at 10:49 p.m.

Winckler of Scott offered amendment H-8472 filed by her from the floor and moved its adoption.

Roll call was requested by Winckler of Scott and Hunter of Polk.

On the question "Shall amendment H-8472 be adopted?" (S.F. 2415)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Mohr	Nielsen
Oldson	Olson	Ourth	Pettengill
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 52:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mommsen	Moore
Nunn	Paustian	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Windschitl	Worthan	Zumbach	Highfill, Presiding

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

Amendment H-8472 lost.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2415)

The ayes were, 54:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossmann	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Wheeler	Wills	Windschitl	Worthan
Zumbach	Highfill, Presiding		

The nays were, 36:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Hall	Hunter	Isenhardt	Jacoby
Kacena	Kearns	Kurth	Lensing
Mascher	McConkey	Meyer	Miller, H.
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Watts	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 10:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Prichard
Rizer	Rogers		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2492, 2493, 2494, 2500** and **Senate Files 2390, 2400, 2407** and **2415**.

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2115 and 2496 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bacon of Story	Baudler of Adair
Bennett of Linn	Cownie of Polk
Gaines of Polk	Heddens of Story
Kressig of Black Hawk	Prichard of Floyd
Rizer of Linn	Rogers of Black Hawk

EXPLANATION OF VOTE

On May 3, 2018, I inadvertently voted “aye” on amendment H-8471 (S.F. 2415), I meant to vote “nay”.

Holt of Crawford

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 3rd day of May, 2018: House File 2445.

CARMINE BOAL
Chief Clerk of the House

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 700 Appropriations

Relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 690), relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** May 3, 2018.

Committee Bill (Formerly House Study Bill 700), relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** May 3, 2018.

AMENDMENTS FILED

H-8466	H.F.	2492	Senate amendment
H-8467	H.F.	2493	Senate amendment
H-8468	S.F.	2382	Baltimore of Boone
H-8469	S.F.	2415	McKean of Jones
H-8470	S.F.	2415	Hall of Woodbury

H-8471	S.F.	2415	Winckler of Scott
H-8472	S.F.	2415	Winckler of Scott
H-8473	S.F.	2415	Winckler of Scott
	Nielsen of Johnson		Jacoby of Johnson
	Mascher of Johnson		Kressig of Black Hawk
	Brown-Powers of Black Hawk		R. Smith of Black Hawk
	Wessel-Kroeschell of Story		Heddens of Story
	Running-Marquardt of Linn		Lensing of Johnson
	Thede of Scott		
H-8474	S.F.	2382	Baltimore of Boone
H-8475	H.F.	2492	Worthan of Buena Vista
H-8476	H.F.	2489	Vander Linden of Mahaska
H-8477	H.F.	2489	Vander Linden of Mahaska
H-8478	H.F.	2493	Best of Carroll
H-8479	S.F.	2382	Baltimore of Boone
H-8480	H.F.	2500	McKean of Jones
H-8481	H.F.	2502	Hall of Woodbury
H-8482	H.F.	2490	Gaskill of Wapello
H-8483	H.F.	2501	Best of Carroll

Hagenow of Polk moved that the House adjourn until 10:00 a.m., Friday, May 4, 2018.

Objection was raised

Roll call was requested by Hunter of Polk and H. Miller of Webster.

On the question "Shall the House adjourn until 10:00 a.m., Friday, May 4, 2018?"

The ayes were, 52:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossmann	Carlson	Deyoe
Dolecheck	Fisher	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanusa	Heartsill	Heaton	Hein
Hinson	Holt	Isenhardt	Jacobsen
Jones	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Thede

Upmeyer, Spkr.
Windschitl

Watts
Worthan

Wheeler
Zumbach

Wills
Highfill,
Presiding

The nays were, 26:

Anderson
Cohoon
Kearns
McConkey
Olson
Staed
Winckler

Bearinger
Forbes
Kurth
Miller, H.
Ourth
Steckman
Wolfe

Breckenridge
Gaskill
Lensing
Miller, P.
Smith, M.
Taylor, T.

Brown-Powers
Hunter
Mascher
Oldson
Smith, R.
Wessel-Kroeschell

Absent or not voting, 22:

Abdul-Samad
Cownie
Heddens
Kacena
Nielsen
Running-Marquardt

Bacon
Finkenauer
Holz
Kaufmann
Prichard
Vander Linden

Baudler
Fry
Huseman
Kressig
Rizer

Bennett
Gaines
Jacoby
Meyer
Rogers

The motion prevailed.

On motion by Hagenow of Polk, the House adjourned at 11:40 p.m., until 10:00 a.m., Friday, May 4, 2018.

JOURNAL OF THE HOUSE

One Hundred-seventeenth Calendar Day - Eighty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, May 4, 2018

The House met pursuant to adjournment at 10:02 a.m., Jones of Clay in the chair.

Prayer was offered by R. Taylor of Dallas.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dennis Walsh, doorkeeper.

The Journal of Thursday, May 3, 2018, was approved.

On motion by Hagenow of Polk, the House was recessed at 10:08 a.m., until 11:00 a.m.

AFTERNOON SESSION

The House reconvened at 3:46 p.m., Windschitl of Harrison in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 4, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 631, a bill for an act relating to the establishment of certain licenses and fees by rules adopted by the natural resource commission and including coordinating and transition provisions, and effective date provisions.

W. CHARLES SMITHSON, Secretary

SENATE AMENDMENTS CONSIDERED
House Concurred

Gustafson of Madison called up for consideration **Senate File 2099**, a bill for an act relating to probate and the administration of small estates and including applicability provisions, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8338, to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8338, to the House amendment.

Gustafson of Madison moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2099)

The ayes were, 85:

Anderson	Baltimore	Baxter	Bearinger
Bergan	Best	Bloomingdale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Hein	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sieck
Smith, M.	Smith, R.	Staed	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winkler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 1:

Highfill

Absent or not voting, 14:

Abdul-Samad	Bacon	Baudler	Bennett
Cownie	Gaines	Heddens	Kressig
Mascher	Miller, H.	Nielsen	Prichard
Sheets	Steckman		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Wills of Dickinson called up for consideration **House File 631**, a bill for an act relating to the establishment of certain licenses and fees by rules adopted by the natural resource commission and including coordinating and transition provisions, and effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8494.

The motion prevailed and the House concurred in the Senate amendment H-8494.

Wills of Dickinson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 631)

The ayes were, 81:

Anderson	Baltimore	Baxter	Bearinger
Bergan	Best	Bloomington	Bosman
Breckenridge	Brown-Powers	Carlson	Cohoon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Hein	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Koester	Kurth

Landon	Lensing	Lundgren	Maxwell
McConkey	McKean	Meyer	Miller, P.
Mohr	Mommsen	Moore	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sieck	Smith, M.	Smith, R.
Staed	Taylor, R.	Taylor, T.	Thede
Vander Linden	Watts	Wessel-Kroeschell	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 4:

Highfill	Klein	Running-Marquardt	Wheeler
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Absent or not voting, 15:

Abdul-Samad	Bacon	Baudler	Bennett
Cownie	Gaines	Heddens	Kressig
Mascher	Miller, H.	Nielsen	Prichard
Sheets	Steckman	Upmeyer, Spkr.	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease at 3:53 p.m., until the fall of the gavel.

The House resumed session at 4:37 p.m., Windschitl of Harrison in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 4, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2440, a bill for an act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions.

Also: That the Senate has on May 4, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2388, a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

Hagenow of Polk asked for unanimous consent for the immediate consideration of House File 2501.

Objection was raised.

Hagenow of Polk moved to suspend the rules to consider House File 2501.

A non-record roll call was requested.

The ayes were 53, nays 29.

The motion to suspend the rules prevailed.

CONSIDERATION OF BILLS Appropriations Calendar

House File 2501, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, was taken up for consideration.

Heaton of Henry asked and received unanimous consent that amendment H-8492 be deferred.

Isenhardt of Dubuque offered amendment H-8484 filed by him from the floor.

Heaton of Henry rose on a point of order that amendment H-8484 was not germane.

The Speaker ruled the point not well taken and amendment H-8484 germane.

Isenhardt of Dubuque moved the adoption of amendment H-8484.

Amendment H-8484 lost.

Heaton of Henry asked and received unanimous consent that amendment H-8495 be deferred.

Wessel-Kroeschell of Story offered amendment H-8498 filed by her from the floor and moved its adoption.

Heaton of Henry rose on a point of order that amendment H-8498 was not germane.

The Speaker ruled the point well taken and amendment H-8498 not germane.

Wessel-Kroeschell of Story asked for unanimous consent to suspend the rules to consider amendment H-8498.

Objection was raised.

Wessel-Kroeschell of Story moved to suspend the rules to consider amendment H-8498.

Roll call was requested by Wessel-Kroeschell of Story and Olson of Polk.

On the question "Shall the rules be suspended to consider amendment H-8498?" (H.F. 2501)

The ayes were, 33:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kurth
Lensing	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 54:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr

Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sieck	Taylor, R.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 13:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Mascher
Miller, H.	Prichard	Sheets	Steckman
Upmeyer, Spkr.			

The motion to suspend the rules lost.

Best of Carroll asked and received unanimous consent to withdraw amendment H-8483 filed by him on May 3, 2018.

Isenhart of Dubuque offered amendment H-8485 filed by him from the floor and moved its adoption.

Amendment H-8485 lost.

Hunter of Polk offered amendment H-8486 filed by him from the floor.

Heaton of Henry rose on a point of order that amendment H-8486 was not germane.

The Speaker ruled the point well taken and amendment H-8486 not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment H-8486.

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment H-8486.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment H-8486?" (H.F. 2501)

The ayes were, 34:

Abdul-Samad	Anderson	Bearinger	Best
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaskill	Hall	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kurth	Lensing	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 53:

Baltimore	Baxter	Bergan	Bloomingtondale
Bossman	Carlson	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 13:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Mascher
Miller, H.	Prichard	Sheets	Steckman
Upmeyer, Spkr.			

The motion to suspend the rules lost.

Brown-Powers of Black Hawk offered amendment H-8490 filed by Heddens of Story from the floor and moved its adoption.

Roll call was requested by Brown-Powers of Black Hawk and Abdul-Samad of Polk.

On the question "Shall amendment H-8490 be adopted?" (H.F. 2501)

The ayes were, 36:

Abdul-Samad	Anderson	Bearinger	Best
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaskill	Hager	Hall
Hunter	Isenhardt	Jacoby	Kacena
Kearns	Kurth	Lensing	McConkey
McKean	Meyer	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 52:

Baltimore	Baxter	Bergan	Bloomingtondale
Bossman	Carlson	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Zumbach	Windschitl, Presiding

Absent or not voting, 12:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Mascher
Miller, H.	Prichard	Sheets	Steckman

Amendment H–8490 lost.

Forbes of Polk offered amendment H–8487 filed by him from the floor.

Heaton of Henry rose on a point of order that amendment H–8487 was not germane.

The Speaker ruled the point well taken and amendment H–8487 not germane.

Forbes of Polk asked for unanimous consent to suspend the rules to consider amendment H–8487.

Objection was raised.

Forbes of Polk moved to suspend the rules to consider amendment H-8487.

Roll call was requested by Forbes of Polk and M. Smith of Marshall.

On the question "Shall the rules be suspended to consider amendment H-8487?" (H.F. 2501)

The ayes were, 34:

Abdul-Samad	Anderson	Bearinger	Best
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaskill	Hall	Hunter
Isenhart	Jacoby	Kacena	Kearns
Kurth	Lensing	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 54:

Baltimore	Baxter	Bergan	Bloomingtondale
Bossman	Carlson	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

Absent or not voting, 12:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Mascher
Miller, H.	Prichard	Sheets	Steckman

The motion to suspend the rules lost.

Forbes of Polk offered amendment H-8493 filed by him from the floor.

Heaton of Henry rose on a point of order that amendment H-8493 was not germane.

The Speaker ruled the point well taken and amendment H-8493 not germane.

Forbes of Polk asked for unanimous consent to suspend the rules to consider amendment H-8493.

Objection was raised.

Forbes of Polk moved to suspend the rules to consider amendment H-8493.

Roll call was requested by Forbes of Polk and Bearinger of Fayette.

On the question "Shall the rules be suspended to consider amendment H-8493?" (H.F. 2501)

The ayes were, 34:

Abdul-Samad	Anderson	Bearinger	Best
Breckenridge	Brown-Powers	Cphoon	Finkenauer
Forbes	Gaskill	Hall	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kurth	Lensing	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 54:

Baltimore	Baxter	Bergan	Bloomington
Bossman	Carlson	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanus
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sieck	Taylor, R.	Upmeyer, Spkr.	Vander Linden
Watts	Wheeler	Wills	Worthington
Zumbach	Windschitl,		
	Presiding		

Absent or not voting, 12:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Mascher
Miller, H.	Prichard	Sheets	Steckman

The motion to suspend the rules lost.

Forbes of Polk offered amendment H-8488 filed by him from the floor.

Heaton of Henry rose on a point of order that amendment H-8488 was not germane.

The Speaker ruled the point well taken and amendment H-8488 not germane.

Forbes of Polk asked for unanimous consent to suspend the rules to consider amendment H-8488.

Objection was raised.

Forbes of Polk moved to suspend the rules to consider amendment H-8488.

Roll call was requested by Forbes of Polk and Bearinger of Fayette.

On the question "Shall the rules be suspended to consider amendment H-8488?" (H.F. 2501)

The ayes were, 34:

Abdul-Samad	Anderson	Bearinger	Best
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaskill	Hall	Hunter
Isenhardt	Jacoby	Kacena	Kaufmann
Kearns	Kurth	Lensing	McConkey
Meyer	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Staed	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 53:

Baltimore	Baxter	Bergan	Bloomingtondale
Bossman	Carlson	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley

Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 13:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Mascher
Miller, H.	Prichard	Sheets	Smith, R.
Steckman			

The motion to suspend the rules lost.

M. Smith of Marshall offered amendment H-8489 filed by him from the floor.

Heaton of Henry rose on a point of order that amendment H-8489 was not germane.

The Speaker ruled the point well taken and amendment H-8489 not germane.

Jones of Clay asked and received unanimous consent to withdraw amendment H-8491 filed by her from the floor.

Wessel-Kroeschell of Story offered amendment H-8496 filed by her from the floor and moved its adoption.

Roll call was requested by Wessel-Kroeschell of Story and M. Smith of Marshall.

On the question "Shall amendment H-8496 be adopted?" (H.F. 2501)

The ayes were, 33:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhardt

Jacoby	Kacena	Kearns	Kurth
Lensing	McConkey	Meyer	Miller, P.
Nielsen	Oldson	Olson	Ourth
Running-Marquardt	Smith, M.	Smith, R.	Staed
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 55:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Deyoe
Dolecheck	Fisher	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Huseman	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

Absent or not voting, 12:

Bacon	Baudler	Bennett	Cownie
Gaines	Heddens	Kressig	Mascher
Miller, H.	Prichard	Sheets	Steckman

Amendment H-8496 lost.

Lensing of Johnson asked and received unanimous consent that amendment H-8497 be deferred.

Hagenow of Polk asked and received unanimous consent that House File 2501 be deferred and that the bill retain its place on the calendar.

Speaker Upmeyer in the chair at 6:37 p.m.

The House stood at ease at 7:19 p.m., until the fall of the gavel.

The House resumed session at 7:20 p.m., Speaker Upmeyer in the chair.

On motion by Hagenow of Polk, the House was recessed at 7:21 p.m., until 8:15 p.m.

EVENING SESSION

The House reconvened at 10:20 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 4, 2018, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2492, a bill for an act relating to appropriations to the justice system, and including effective date provisions.

Also: That the Senate has on May 4, 2018, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 2493, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on May 4, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2416, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Also: That the Senate has on May 4, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2418, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

W. CHARLES SMITHSON, Secretary

Windschitl of Harrison in the chair at 11:07 p.m.

SENATE MESSAGE CONSIDERED

Senate File 2418, by committee on Appropriations, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

Read first time and **passed on file**.

CONSIDERATION OF BILL
Appropriations Calendar

The House resumed consideration of **House File 2501**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, previously deferred.

Heaton of Henry offered amendment H-8499 filed by him from the floor and moved its adoption.

Amendment H-8499 was adopted, placing out of order amendments H-8492 and H-8495 filed by Heaton of Henry from the floor, previously deferred and amendment H-8497 filed by Lensing of Johnson from the floor, previously deferred.

SENATE FILE 2418 SUBSTITUTED FOR HOUSE FILE 2501

Heaton of Henry asked and received unanimous consent to substitute Senate File 2418 for House File 2501.

Senate File 2418, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, was taken up for consideration.

Heaton of Henry offered amendment H-8501 filed by him from the floor and moved its adoption.

Roll call was requested by Wessel-Kroeschell of Story and Meyer of Polk.

On the question “Shall amendment H–8501 be adopted?” (S.F. 2418)

The ayes were, 88:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Maxwell
McConkey	McKean	Meyer	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Sexton	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 2:

Salmon	Wheeler
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Absent or not voting, 10:

Bacon	Baudler	Bennett	Gaines
Heddens	Kressig	Mascher	Miller, H.
Prichard	Sheets		

Amendment H–8501 was adopted.

Hagenow of Polk asked for unanimous consent to suspend Rule 75, regarding voting after midnight.

Objection was raised.

Hagenow of Polk moved to suspend Rule 75.

A non-record roll call was requested.

The ayes were 55, nays 30.

The motion to suspend Rule 75 prevailed.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2418)

The ayes were, 55:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Paustian
Pettengill	Rizer	Rogers	Salmon
Sexton	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Watts	Wheeler	Wills
Worphan	Zumbach	Windschitl, Presiding	

The nays were, 35:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhart
Jacoby	Jones	Kacena	Kearns
Kurth	Lensing	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 10:

Bacon	Baudler	Bennett	Gaines
Heddens	Kressig	Mascher	Miller, H.
Prichard	Sheets		

On May 4, 2018, I inadvertently voted “nay” on Senate File 2099, I meant to vote “aye”.

Highfill of Polk

On May 4, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 631 – “aye”

Senate File 2099 – “aye”

Nielsen of Johnson

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 4, 2018, the following bills were approved and transmitted to the Secretary of State:

House File 2445, an Act relating to the provision and administration of mental health, disability, and homemaker-home health aide services and the responsibility for other health-related services.

Senate File 359, an Act prohibiting and requiring certain actions relating to a fetus and providing penalties.

Senate File 2227, an Act relating to the publication of county resolutions.

Senate File 2303, an Act relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

Senate File 2311, an Act modifying various provisions relating to public utilities, providing for a study of electric vehicle infrastructure support, and including effective date provisions.

Senate File 2314, an Act relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

DEPARTMENT FOR THE BLIND

Recycling Report, pursuant to Iowa Code section 216B.3.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A.

DEPARTMENT OF REVENUE

Tax Expenditure Cost Estimate Report, pursuant to Iowa Code section 2.48.

RESOLUTION FILED

H.R. 123, by Isenhart, M. Smith, Meyer, Olson, Wolfe, Bearinger, Kearns, Kurth, Kacena, Steckman, Anderson, Jacoby, Staed, Winckler, McConkey, Cohoon, R. Smith, Gaskill, Hunter, Ourth, Lensing, Forbes, Kressig, Thede, Heddens, T. Taylor, Breckenridge, Nielsen, Oldson, Abdul-Samad, Wessel-Kroeschell, H. Miller, P. Miller, Hall, Running-Marquardt, and Brown-Powers, a resolution expressing support and extending appreciation to the Iowa Department of Justice and Iowa Attorney General Tom Miller for their efforts to advocate for and protect the interests of Iowans in state-federal relations.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8484	H.F.	2501	Isenhart of Dubuque
H-8485	H.F.	2501	Isenhart of Dubuque
H-8486	H.F.	2501	Hunter of Polk
H-8487	H.F.	2501	Forbes of Polk
H-8488	H.F.	2501	Forbes of Polk
H-8489	H.F.	2501	M. Smith of Marshall
H-8490	H.F.	2501	Heddens of Story
H-8491	H.F.	2501	Jones of Clay
H-8492	H.F.	2501	Heaton of Henry
H-8493	H.F.	2501	Forbes of Polk
H-8494	H.F.	631	Senate amendment
H-8495	H.F.	2501	Heaton of Henry
H-8496	H.F.	2501	Wessel-Kroeschell of Story
H-8497	H.F.	2501	Lensing of Johnson
H-8498	H.F.	2501	Wessel-Kroeschell of Story
H-8499	H.F.	2501	Heaton of Henry

H-8500	H.F.	2489	Vander Linden of Mahaska
H-8501	S.F.	2418	Heaton of Henry
H-8502	H.F.	2502	Hinson of Linn

On motion by Hagenow of Polk, the House adjourned at 12:25 a.m., until 9:00 a.m., Saturday, May 5, 2018.

JOURNAL OF THE HOUSE

One Hundred-eighteenth Calendar Day - Eighty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Saturday, May 5, 2018

The House met pursuant to adjournment at 9:10 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Landon of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Al Thrasher, Chief Doorkeeper.

The Journal of Friday, May 4, 2018, was approved.

The House stood at ease at 9:12 a.m., until the fall of the gavel.

The House resumed session at 11:34 a.m., Speaker Upmeyer in the chair.

The House stood at ease at 12:17 p.m., until the fall of the gavel.

The House resumed session at 12:52 p.m., Windschitl of Harrison in the chair.

Hagenow of Polk asked for unanimous consent for the immediate consideration of House File 2502.

Objection was raised.

Hagenow of Polk moved to suspend the rules to consider House File 2502.

A non-record roll call was requested.

The ayes were 56, nays 25.

The motion to suspend the rules prevailed.

CONSIDERATION OF BILL
Appropriations Calendar

House File 2502, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, applicability, and retroactive applicability provisions, was taken up for consideration.

Hall of Woodbury offered amendment H-8481 filed by him.

Hall of Woodbury offered amendment H-8505, to amendment H-8481, filed by him from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and Steckman of Cerro Gordo.

On the question "Shall amendment H-8505, to amendment H-8481, be adopted?" (H.F. 2502)

The ayes were, 33:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhart
Kacena	Kearns	Kurth	Lensing
McConkey	Meyer	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 55:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.

Upmeyer, Spkr. Worthan	Vander Linden Zumbach	Wheeler Windschitl, Presiding	Wills
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Absent or not voting, 12:

Bacon	Baudler	Bennett	Gaines
Heddens	Jacoby	Kressig	Mascher
Miller, H.	Prichard	Rizer	Watts

Amendment H-8505, to amendment H-8481, lost.

Hall of Woodbury moved the adoption of amendment H-8481.

Roll call was requested by Hall of Woodbury and Hunter of Polk.

On the question "Shall amendment H-8481 be adopted?" (H.F. 2502)

The ayes were, 33:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhart
Kacena	Kearns	Kurth	Lensing
McConkey	Meyer	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 55:

Baltimore	Baxter	Bergan	Best
Bloomington	Bossmann	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr. Worthan	Vander Linden Zumbach	Wheeler Windschitl, Presiding	Wills

Absent or not voting, 12:

Bacon	Baudler	Bennett	Gaines
Heddens	Jacoby	Kressig	Mascher
Miller, H.	Prichard	Rizer	Watts

Amendment H-8481 lost.

Hinson of Linn offered amendment H-8502 filed by her.

Hinson of Linn offered amendment H-8503, to amendment H-8502, filed by her from the floor and moved its adoption.

Amendment H-8503, to amendment H-8502, was adopted.

Hall of Woodbury rose on a point of order that amendment H-8502, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-8502, as amended, not germane.

Hinson of Linn asked for unanimous consent to suspend the rules to consider amendment H-8502, as amended.

Objection was raised.

Hinson of Linn moved to suspend the rules to consider amendment H-8502, as amended.

A non-record roll call was requested.

The ayes were 53, nays 32.

The motion to suspend the rules prevailed.

Hinson of Linn moved the adoption of amendment H-8502, as amended.

Amendment H-8502, as amended, was adopted.

Hinson of Linn offered amendment H-8504 filed by her from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and Kacena of Woodbury.

On the question "Shall amendment H-8504 be adopted?" (H.F. 2502)

The ayes were, 86:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossmann	Breckenridge	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Maxwell	McConkey
McKean	Meyer	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rogers	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Wessel-Kroeschell	Wheeler
Wills	Winckler	Wolfe	Worthan
Zumbach	Windschitl, Presiding		

The nays were, none.

Absent or not voting, 14:

Bacon	Baudler	Bennett	Gaines
Heddens	Jacoby	Kressig	Mascher
Miller, H.	Nunn	Prichard	Rizer
Running-Marquardt	Watts		

Amendment H-8504 was adopted.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2502)

The ayes were, 54:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Paustian
Pettengill	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.
Vander Linden	Wheeler	Wills	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 33:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaskill	Hall	Hunter	Isenhart
Kacena	Kearns	Kurth	Lensing
McConkey	Meyer	Miller, P.	Nielsen
Oldson	Olson	Ourth	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 13:

Bacon	Baudler	Bennett	Gaines
Heddens	Jacoby	Kressig	Mascher
Miller, H.	Nunn	Prichard	Rizer
Watts			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 5, 2018, amended and passed the following bill in which the concurrence of the House is asked:

House File 633, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts.

Also: That the Senate has on May 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2478, a bill for an act amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction.

W. CHARLES SMITHSON, Secretary

The House stood at ease at 2:11 p.m., until the fall of the gavel.

The House resumed session at 2:32 p.m., Windschitl of Harrison in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 5, 2018, passed the following bill in which the concurrence of the House is asked:

Senate File 2417, a bill for an act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, providing for other properly related matters, making penalties applicable, and including immediate and contingent effective date and retroactive and other applicability provisions.

W. CHARLES SMITHSON, Secretary

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2502** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED House Concurred

Fisher of Tama called up for consideration **House File 633**, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts, amended by the Senate, and moved that the House concur in the Senate amendment H-8506.

The motion prevailed and the House concurred in the Senate amendment H-8506.

Fisher of Tama moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 633)

The ayes were, 87:

Abdul-Samad	Anderson	Baltimore	Baxter
Bearinger	Bergan	Best	Bloomingtondale
Bossman	Breckenridge	Brown-Powers	Carlson
Cohoon	Cownie	Deyoe	Dolecheck
Finkenauer	Fisher	Forbes	Fry
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kurth	Landon
Lensing	Lundgren	Maxwell	McConkey
McKean	Meyer	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Oldson
Olson	Ourth	Paustian	Pettengill
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 13:

Bacon	Baudler	Bennett	Gaines
Heddens	Jacoby	Kressig	Mascher
Miller, H.	Nunn	Prichard	Rizer
Watts			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE MESSAGE CONSIDERED

Senate File 2417, by committee on Ways and Means, a bill for an act relating to state and local revenue and finance by modifying the

individual and corporate income taxes, the franchise tax, tax credits, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, providing for other properly related matters, making penalties applicable, and including immediate and contingent effective date and retroactive and other applicability provisions.

Read first time and **passed on file**.

The House stood at ease at 2:37 p.m., until the fall of the gavel.

The House resumed session at 4:11 p.m., Speaker Upmeyer in the chair.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 633** be immediately messaged to the Senate.

Hagenow of Polk asked for unanimous consent for the immediate consideration of House File 2489.

Objection was raised.

Hagenow of Polk moved to suspend the rules to consider House File 2489.

Roll call was requested by M. Smith of Marshall and Hunter of Polk.

On the question "Shall the rules be suspended to consider House File 2489?"

The ayes were, 52:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Paustian	Pettengill	Rogers
Salmon	Sexton	Sheets	Sieck

Taylor, R. Windschitl	Vander Linden Worthan	Wheeler Zumbach	Wills Speaker Upmeyer
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The nays were, 31:

Abdul-Samad	Anderson	Bearinger	Brown-Powers
Cohoon	Finkenauer	Forbes	Gaskill
Hall	Hunter	Kacena	Kearns
Kurth	Lensing	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 17:

Bacon	Baudler	Bennett	Breckenridge
Gaines	Heddens	Isenhart	Jacoby
Koester	Kressig	Landon	Mascher
Miller, H.	Nunn	Prichard	Rizer
Watts			

The motion to suspend the rules prevailed.

CONSIDERATION OF BILL

Ways and Means Calendar

House File 2489, a bill for an act relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions, was taken up for consideration.

Vander Linden of Mahaska offered amendment H-8476 filed by him.

Vander Linden of Mahaska asked and received unanimous consent to withdraw amendment H-8477, to amendment H-8476, filed by him on May 3, 2018.

Vander Linden of Mahaska offered amendment H-8500, to amendment H-8476, filed by him and moved its adoption.

Amendment H-8500, to amendment H-8476, was adopted.

Vander Linden of Mahaska moved the adoption of amendment H-8476, as amended.

Amendment H-8476, as amended, was adopted.

SENATE FILE 2417 SUBSTITUTED FOR HOUSE FILE 2489

Cownie of Polk asked and received unanimous consent to substitute Senate File 2417 for House File 2489.

Senate File 2417, a bill for an act relating to state and local revenue and finance by modifying the income taxes, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, and the disabilities expenses savings plan trust, making penalties applicable, and including immediate effective date and retroactive and other applicability provisions, was taken up for consideration.

Cownie of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2417)

The ayes were, 54:

Baltimore	Baxter	Bergan	Best
Bloomington	Bosman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Paustian
Pettengill	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Vander Linden
Wheeler	Wills	Windschitl	Worthan
Zumbach	Speaker		
	Upmeyer		

The nays were, 32:

Abdul-Samad	Anderson	Bearinger	Brown-Powers
Cohoon	Finkenauer	Forbes	Gaskill

Hall	Hunter	Isenhart	Kacena
Kearns	Kurth	Lensing	McConkey
Meyer	Miller, P.	Nielsen	Oldson
Olson	Ourth	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 14:

Bacon	Baudler	Bennett	Breckenridge
Gaines	Heddens	Jacoby	Kressig
Mascher	Miller, H.	Nunn	Prichard
Rizer	Watts		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that the following bill be immediately messaged to the Senate: **Senate File 2417.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair	Bacon of Story
Bennett of Linn	Breckenridge of Jasper
Gaines of Polk	Heddens of Story
Jacoby of Johnson	Kressig of Black Hawk
Mascher of Johnson	Miller, H. of Webster
Nunn of Polk	Prichard of Floyd
Rizer of Linn	Running-Marquardt of Linn
Watts of Dallas	

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2252, a bill for an act relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions.

Also: That the Senate has on May 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2500, a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions.

Also: That the Senate has on May 5, 2018, passed the following bill in which the concurrence of the Senate was asked:

House File 2502, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, contingent effective date, applicability, and retroactive applicability provisions.

Also: That the Senate has on May 5, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2316, a bill for an act relating to transactions by domestic stock insurers, small employer group health insurers, and universal life insurance.

Also: That the Senate has on May 5, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2418, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

W. CHARLES SMITHSON, Secretary

REMARKS BY MINORITY LEADER M. SMITH

“First, I want to thank the members of my caucus for sticking together this year and leading the fight for everyday Iowans.

On behalf of my caucus, I want to thank the House Democratic Staff -- Joe, Rachele, Kelsey, Dave, Alison, Bill, Joe, Brian, Jessica, Jake and Dean — for your hard work this session. It’s no secret you are the best staff in the Capitol. A special thanks to our Page, Brady Fisher, who was in charge of the office this year. You did great and we wish you well in your studies at the University of Northern Iowa this fall.

I also want to thank LSA, the clerks, the doormen and all the capitol staff who work hard behind the scenes to keep this place running. We are a demanding group and your hard work does not go unnoticed.

Many years ago, my great uncle purchased a grocery store in Hopkins, Missouri from a previous owner. When he and his family started preparing the store for the grand opening, they found that many of the items they thought were on the shelves were actually empty containers and that the actual goods weren’t there. The goods they thought they had purchased were really just empty boxes.

In the months ahead when Iowans expect to see the promises made by this Legislature impact their own life, they're going to find an empty box.

The working family in Muscatine expecting a tax break will get a higher property tax bill and new sales taxes for online purchases and streaming services instead.

The teacher in Sioux City hoping to give her students more one-on-one time in the classroom will have to take a pay cut.

The soybean farmer in Winneshiek County expecting a bumper crop and profit this year will find a weak market, low prices, and even higher property taxes.

The fisherman from Louisa County expecting cleaner waterways will find zero progress has been made again this year.

The young woman in Bettendorf will still struggle to find reproductive health care and cancer screenings.

The parents in West Des Moines desperately trying to find mental health support for their son will find the state didn't fund any significant expansion of services their child needs to survive.

The small business owner in Marion expecting a new affordable health care plan will find out her application was denied because she had a pre-existing condition.

The mom in Ankeny pregnant with her second child who just received the worst news of her life regarding her unborn child will find out she has no options left because she lives in Iowa.

The 2018 session was indeed historic - for the special interests, but not for everyday Iowans.

Iowans don't ask for much, but WE know they are tired of politics as usual and broken promises from politicians. They just want a decent paying job and the chance to lead a happy, healthy life.

As lawmakers, I believe our job is to listen and work to improve the lives of everyday Iowans. That's why we offered ideas this session to get back to the basics and create new opportunities for all of us to get ahead.

This means putting everyday Iowans first, not the special interests.

This means lowering costs and expanding health care, not reducing access and denying care.

This means keeping college and job training affordable, not raising tuition and putting job training out of reach for thousands of families.

This means investing in public schools to build our skilled workforce, not shortchanging public schools and raising class sizes.

This means protecting and expanding women's health care, not taking away rights and limiting access.

This means revitalizing rural Iowa, not closing schools and ignoring the challenges they face.

This means restoring fiscal discipline and balancing the state budget, by not putting the state budget in the red with billions more in tax giveaways to the wealthy and special interests.

When the session began, I offered our assistance working in a bipartisan manner to address the challenges we face and simply asked that you engage us from the beginning. Very little of that occurred at all this session because you chose to work behind closed doors with special interests instead. The Iowans we represent deserve better.

Over the last two years, we've proven time and time again that House Democrats will never walk away from a fight.

The poet, Robert Frost, has said, "It will not do to say of night because darkness is what brings out your light." The light of 41 members of the Democratic House Caucus shown through the darkness that too many in our state felt the last two years.

There is no substitution for genuine. There is a saying that sometimes good theater takes a few days to sink in. We leave here today and return to our homes. It is my prediction that as we talk to our friends and neighbors, they will realize the positions House Democrats took this session, the battles we fought, and sincerity of our efforts were and are for the best interests of everyday Iowans.

There are no broken promises or empty boxes for Iowans from House Democrats.

I want to say a final thank you to the thousands and thousands of Iowans who came to the State Capitol, sent emails, went to forums, participated in rallies, called their lawmakers, and marched for what they believe in.

We've lost a few battles, but please don't give up. History has proven the struggle for progress has never been easy, but it has also proven it's always the right thing to do.

Keep holding your elected officials accountable and keep fighting for the Iowa we love.

Thank you Madam Speaker."

REMARKS BY MAJORITY LEADER HAGENOW

Thank you Madam Speaker, Ladies and Gentlemen of the House.

The 87th General Assembly will go down as one of the most consequential in Iowa's history. In November 2016, Iowans entrusted Republicans to lead the House, the Senate and our Governor's office.

The message the voters sent was clear: They wanted smaller, smarter, and conservative government. House Republicans have responded, and the days of status quo government are over.

I'm proud to lead the House Republican caucus. You are a caucus that is committed, courageous, and dedicated to your communities and the people you represent.

We are a caucus that believes in families, their health care needs, K-12 education, growing pocketbooks and opportunities, and keeping them safe.

Too many families are struggling with opioid addiction, mental health issues, and access to affordable health care coverage. House Republicans responded with legislation to combat the opioid epidemic, passed comprehensive mental health reform, and expanded high quality, affordable health care options for the people of Iowa.

House Republicans have clearly shown that K-12 education is a top priority by providing schools with an all-time record investment totaling \$3.2 billion next year, giving more flexibility and control to our locally elected school boards and administrators, and providing additional tools and resources to keep our schools safe.

Our caucus believes that when Iowans work hard to earn their money they should be able keep more of it in their pocket. Our actions clearly reflect that belief. This session, we returned \$100 million to utility ratepayers and shed more light on Iowans' energy bills. As a capstone to this historic General Assembly, we just passed generational tax reform, something that hadn't been done in more than two decades. Iowa families and small business owners are the winners here and will see significant tax relief as a result of these reforms.

We worked hard to expand our freedoms, keep our communities safe and make our water cleaner. We began the process to enshrine in our constitution the right to keep and bear arms. We are a caucus that stands for life and, each year, we have fought to protect to unborn.

To keep this building open and functioning, many people play an important role, it does not go unnoticed and we appreciate everything you do. I'm biased, but House Republicans are blessed with best staff in the building, and I am grateful for all your hard work and preparation.

Each of us has families and loved ones that support us and make tremendous sacrifices to make our service possible. For me, it is my wife, Amanda, and my children, Owen, Noah and Sophia. Words cannot express my gratitude of their sacrifice and, yes, Daddy is done with session.

Madam Speaker and my Republican colleagues, it's my honor and privilege to serve with you. We are about to adjourn this General Assembly that will long be remembered as one that charted a new course for the State of Iowa. When we walk out of these doors today, we should walk out of here knowing that we have fought the good fight, and finished our work for now. The people we serve should be confident in a brighter future.

God bless each one of you and God bless the great State of Iowa. Thank you Madam Speaker.

REMARKS BY SPEAKER UPMEYER

Ladies and gentlemen of the House of Representatives, thank you for your hard work. You have sacrificed, you have listened, and you have delivered for your communities.

Every general assembly represents an opportunity to do things large and small, or nothing at all. The eighty-seventh General Assembly should be remembered for the collective choice to seize the opportunity to make an impact.

This chamber made a choice to do more than shuffle the pages of the Code of Iowa. You all came together and time after time you chose real change rather than defending the status quo.

Today, Representative Cownie brought us the latest example. For decades, we have acknowledged that our tax code was too complicated and uncompetitive. Too many sessions went by without change, but this year was different.

Like on so many other issues these last two years, it was time for action. That is why today, you can go home to your constituents having achieved historic tax relief and reform.

We decided that families should be put first when it comes to tax relief. Which is why they will receive an average tax cut of over ten percent right away. Once our new tax code is fully implemented, a middle-class family of four can see their taxes reduced by as much as sixty percent.

We cannot underestimate the positive impact these tax savings will have for Iowa families.

I am proud of the clear call to service that I see my colleagues answer each day. As a result, the Iowa House of Representatives still shines as an example of responsive and representative government, where good ideas go through a collaborative process to become law.

Thank you to the House Democrat caucus, and Leader Smith for your contributions this session. Your input and efforts are reflected in much of the good work done here this year.

Thank you to my caucus and the leadership team. We stood together for the opportunity to improve the future of Iowa and you can now go home to your communities, proudly sharing our significant achievements.

Leader Hagenow, you have capably guided us through these historic years and have always positioned us for success. Thank you.

Thank you to our caucus staff, the best staff in the building, you all step up to the challenge so well. The same goes to Carmine and the Chief Clerk's Office. Thank you for your dedication to this institution and for your patience.

I would like to thank the best darn pages around too, Maddie & Jack, it has been a pleasure.

To Colin, Terri, and Tony thank you for working so hard for our office and the entire chamber.

Thank you, Governor Reynolds, for your tireless work to elevate our state and to increase opportunity for the great people of Iowa.

To my loving husband, Doug, and my family, thank you for supporting me. I am looking forward to watching a sunset on the lake with you very soon.

With that in mind, let's go home and spend some time with our family and friends. Thank you.

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2489 from further consideration by the House.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on May 5, 2018, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 102, a concurrent resolution to provide for adjournment sine die.

W. CHARLES SMITHSON, Secretary

ADOPTION OF SENATE CONCURRENT RESOLUTION 102

Hagenow of Polk asked and received unanimous consent for the immediate consideration of **Senate Concurrent Resolution 102**, a concurrent resolution to provide for adjournment sine die, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **Senate Concurrent Resolution 102** be immediately messaged to the Senate.

EXPLANATION OF VOTE

On May 4, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2418 – “nay”

Also: May 5, 2018:

House File 2502 – “nay”

Senate File 2417 – “nay”

Mascher of Johnson

RESOLUTIONS FILED

H.C.R. 105, by Upmeyer and M. Smith, a concurrent resolution to provide for adjournment sine die.

Laid over under **Rule 25**.

H.R. 124, by Grassley, Bacon, Baltimore, Baudler, Baxter, Bergan, Best, Bloomingdale, Bossman, Carlson, Cownie, Deyoe, Dolecheck, Fisher, Fry, Gassman, Gustafson, Hagenow, Hager, Hanusa, Heartsill, Heaton, Hein, Highfill, Hinson, Holt, Holz, Huseman, Jacobsen, Jones, Kaufmann, Kerr, Klein, Koester, Landon, Lundgren, Maxwell, McKean, Mohr, Mommsen, Moore, Nunn, Paustian, Pettengill, Rizer, Rogers, Salmon, Sexton, Sheets, Sieck, R. Taylor, Upmeyer, Vander Linden, Watts, Wheeler, Wills, Windschitl, Worthan, and Zumbach, a resolution recognizing Iowa’s commitment to affirming Iowa’s rural heritage and fair agricultural trade, fair and nonpartisan redistricting, and retirement security for public employees.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8503	H.F.	2502	Hinson of Linn
H-8504	H.F.	2502	Hinson of Linn
H-8505	H.F.	2502	Hall of Woodbury
H-8506	H.F.	633	Senate amendment

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 102, duly adopted, the day of Saturday, May 5, 2018 having arrived, the Speaker of the House of Representatives declared the 2018 Regular Session of the Eighty-seventh General Assembly adjourned sine die at 5:25 p.m.

SUPPLEMENT

The following reports and communications were received subsequent to final adjournment:

COMMITTEE REVISION

The Speaker announced the following committee revision effective May 15, 2018:

Ways and Means

Cownie replaced Vander Linden as Chair

RESIGNATION OF MEMBER

May 14, 2018

Dear Governor Reynolds,

I'm writing you this letter to inform you that I will be resigning my seat in the Iowa House effective May 25, 2018. Per Iowa code 69.14, the subsequent vacancy will not require a special election.

It has been an honor to serve the people of House District 68 and our great State, but after 35 years of public service, I look forward to transitioning to the private sector.

Respectfully,

Ken Rizer
House District 68

REPORT OF THE CHIEF CLERK OF THE HOUSE

MADAM SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills:

Senate File 2316: amendments H-8447 and H-8454

The House Legal Counsel comingled the title page language contained in amendments H-8447 and H-8454. The language appears in amendment S-5293 as operation 3.

CARMINE BOAL
Chief Clerk of the House

EXPLANATIONS OF VOTE

On May 4, 2018, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 631 – “aye”
 Amendment H–8486 (H.F. 2501) suspend the rules – “aye”
 Amendment H–8487 (H.F. 2501) suspend the rules – “aye”
 Amendment H–8488 (H.F. 2501) suspend the rules – “aye”
 Amendment H–8490 (H.F. 2501) – “aye”
 Amendment H–8493 (H.F. 2501) suspend the rules – “aye”
 Amendment H–8496 (H.F. 2501) – “aye”
 Amendment H–8498 (H.F. 2501) suspend the rules – “aye”
 Senate File 2099 – “aye”
 Amendment H–8501 (S.F. 2418) – “aye”
 Senate File 2418 – “nay”

Also: On May 5, 2018:

House File 633 – “aye”
 Amendment H–8504 (H.F. 2502) – “aye”
 Amendment H–8505 to amendment H–8481 (H.F. 2502) – “aye”
 Amendment H–8481 (H.F. 2502) – “aye”
 House File 2502 – “nay”
 House File 2489 suspend the rules – “nay”
 Senate File 2417 – “nay”

Heddens of Story

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 11th day of May, 2018: House Files 631, 633, 2234, 2252, 2342, 2372, 2377, 2440, 2443, 2446, 2475, 2478, 2488, 2491, 2492, 2493, 2494, 2495, and 2500.

Also: Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this 15th day of May, 2018: House File 2502.

CARMINE BOAL
 Chief Clerk of the House

BILLS SIGNED BY THE GOVERNOR

House File 631, an Act relating to the establishment of certain licenses and fees by rules adopted by the natural resource commission and including coordinating and transition provisions, and effective date provisions. Approved May 17, 2018.

House File 633, an Act relating to shared operational functions for purposes of supplementary weighting for school districts and including effective date and applicability provisions. Approved June 1, 2018.

House File 2234, an Act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property and relating to the statute of limitations period for executing judgments on claims for rent. Approved May 16, 2018.

House File 2252, an Act relating to programs and activities administered by the secretary of state, including the safe at home program, special election dates, candidate and voter registration filing requirements, election audits, voting systems, and civil office vacancies, and including effective date provisions. Approved May 16, 2018.

House File 2342, an Act relating to the seizure and disposition of property by the department of natural resources and requiring a report. Approved May 16, 2018.

House File 2372, an Act concerning county supervisor representation and districting plans and including effective date provisions. Approved May 16, 2018.

House File 2377, an Act relating to the regulation of certain substances, including the regulation of the practice of pharmacy, providing penalties, and including effective date provisions. Approved May 14, 2018.

House File 2440, an Act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions. Approved May 16, 2018.

House File 2443, an Act relating to the delinquency jurisdiction of the juvenile court and the confidentiality and disclosure of certain juvenile court records. Approved May 16, 2018.

House File 2446, an Act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable. Approved May 17, 2018.

House File 2475, an Act relating to governmental ethics and the regulation of lobbyists and gifts and including effective date provisions. Approved May 16, 2018.

House File 2478, an Act amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction. Approved May 16, 2018.

House File 2488, an Act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions. Approved May 16, 2018.

House File 2491, an Act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection. Approved June 1, 2018.

House File 2493, an Act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions. Approved June 1, 2018.

House File 2494, an Act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions. Approved June 1, 2018.

House File 2495, an Act relating to appropriations to the judicial branch. Approved June 1, 2018.

House File 2500, an Act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions. Approved May 16, 2018.

Senate Joint Resolution 2011, a Joint Resolution authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds. Approved May 16, 2018.

Senate File 385, an Act relating to the revised uniform athlete agents Act and providing remedies and penalties. Approved May 16, 2018.

Senate File 2099, an Act relating to probate and the administration of small estates and including effective date and applicability provisions. Approved May 16, 2018.

Senate File 2298, an Act relating to pharmacy regulation, including the composition of the board of pharmacy and the wholesale distribution of prescription drugs and devices, and including penalties. Approved May 16, 2018.

Senate File 2322, an Act relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs. Approved May 16, 2018.

Senate File 2353, an Act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions. Approved May 16, 2018.

Senate File 2388, an Act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions. Approved May 17, 2018.

Senate File 2390, an Act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions. Approved May 16, 2018.

Senate File 2400, an Act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions. Approved May 16, 2018.

Senate File 2407, an Act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions. Approved May 16, 2018.

Senate File 2414, an Act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions. Approved June 1, 2018.

Senate File 2415, an Act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions. Approved June 1, 2018.

Senate File 2416, an Act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and including effective date provisions. Approved June 1, 2018.

Senate File 2417, an Act relating to state and local revenue and finance by modifying the individual and corporate income taxes, the franchise tax, tax credits, the sales and use taxes and local option sales tax, the hotel and motel excise tax, the automobile rental excise tax, the Iowa educational savings plan trust, providing for other properly related matters, making penalties applicable, and including immediate and contingent effective date and retroactive and other applicability provisions. Approved May 30, 2018.

GOVERNOR'S ITEM VETO MESSAGES

HOUSE FILE 2492

June 1, 2018

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

House File 2492 is approved this date with the following exceptions in Sections 5 and 17, of which I disapprove:

The State of Iowa is currently taking part in a Public Safety Assessment (PSA) pilot program that provides judges with an objective, data-driven approach that they can use in pretrial proceedings when exercising their discretion. Sections 5 and 17 end that pilot program immediately.

I disapprove of these sections because I believe that we should consider and study ways to create a fairer pretrial system that protects the public. But I also understand that the legislature and other stakeholders have questions about the PSA and whether it considers all of the appropriate factors. For that reason, I am instructing the agencies of the executive branch to continue their participation in this pilot program until December 31, 2018. At that time, the pilot will be concluded, and further use of this assessment suspended, until the data from the pilot can be analyzed. If, after studying the data and research conclusions, it is found that this program will be in the best interests of the public, then new legislation should be considered that authorizes the PSA or similar risk-assessment tools. I want to also emphasize that, even during the short pendency of the pilot project, the PSA does not and should not replace the judge's discretion. The PSA is but one piece of information and the ultimate decision rests with each person sitting on the bench.

Sincerely,

Kim Reynolds
Governor

HOUSE FILE 2502

June 1, 2018

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 2502, an Act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and providing for effective date, contingent effective date, applicability, and retroactive applicability provisions.

As to Sections 67 and 69 of House File 2502, I am unable to approve these items. Section 67 prescribes that any newly formed Multiple Employer Welfare Arrangement (MEWA) be formed as a 501(c)(9) entity. There are other viable tax structure alternatives, and I believe this requirement is overly prescriptive and would have a limiting effect on any future employer interested in the formation of a MEWA for purposes of providing an additional option for health coverage for interested Iowans.

Section 69 repeals the ability of the Commissioner of the Iowa Insurance Division to adopt emergency rules. It is necessary for the Commissioner to retain this ability in order to ensure for the immediate adoption of rules to administer the provisions of the underlying bill.

For the above reasons, I respectfully disapprove House File 2502, in part only as specified above, in accordance with Article III, Section 16, of the Constitution of the State of Iowa. The remainder of House File 2502 not disapproved as stated herein is approved as of this date.

Sincerely,

Kim Reynolds
Governor

SENATE FILE 2418

June 1, 2018

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 2418, an Act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

The above Senate File is hereby approved this date.

I am unable to approve the designated portion of Section 20 of Senate File 2418, inserting a new subsection 22 into 2017 Iowa Acts, Chapter 174, Section 51. This item provides that \$195,000 of the funds appropriated by 2017 Iowa Acts, Chapter 174, Section 51 shall be used by the Department of Human Services (DHS) for a request for proposal relating to a partnership between the University of Iowa Hospitals and Clinics and a durable medical equipment provider. There is nothing in current law that would prevent a durable medical equipment provider. There is nothing in current law that would prevent a durable medical equipment provider from independently responding to a request for proposal and/or providing durable medical equipment products and services in the State of Iowa. The request for proposal process should be applied fairly and competitively to all providers of durable medical equipment and not limited in a way that excludes Iowa's existing providers.

The effect of this specific item veto disapproval of Section 20 of Senate File 2418, inserting a new subsection 22 into 2017 Iowa Acts, Chapter 174, Section 51, shall cause the \$195,000 contained in this item to revert back to the General Fund. None of the \$195,000 contained in this item shall be retained by DHS, nor shall it be diverted for purposes not legislatively specified.

For the above reasons, I respectfully disapprove Senate File 2418 in part only as specified above, in accordance with Article III, Section 16, of the Constitution of the State of Iowa. The remainder of Senate File 2418 not disapproved of as stated herein is approved as of this date.

Sincerely,

Kim Reynolds
Governor

GOVERNOR'S VETO MESSAGE

SENATE FILE 2316

June 1, 2018

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 2316, an Act relating to transactions by domestic stock insurers, small employer group health insurers, and universal life insurance.

Senate File 2316 sets forth a regulatory process that would allow domestic stock insurance companies domiciled in Iowa to divide into two or more resulting companies. While I am supportive of the underlying bill, I am unable to approve it as amended to include Section 18. Section 18 proposes to allow self-employed persons without employees to qualify for small group health insurance coverage. These changes conflict with federal law.

For the above reasons, I respectfully disapprove of Senate File 2316 in its entirety. It is hereby vetoed in whole.

Sincerely,

Kim Reynolds
Governor

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Chief Clerk and placed on file in the Legislative Services Agency: To view reports in full, click [here](#).

BOARD OF REGENTS

Activities, Projects, and Programs funded by the Innovation Fund Report, pursuant to Chapter 169.32, 2017 Iowa Acts.

DEPARTMENT OF COMMERCE
Banking Division

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20.

DEPARTMENT OF CORRECTIONS

Judicial Review Report, pursuant to Iowa Code section 625.29.

DEPARTMENT OF HUMAN SERVICES

Biennial Mental Health Services Report, pursuant to Iowa Code section 249N.8.

Medicaid Managed Care Oversight Report, pursuant to Chapter 1139.94, 2016 Iowa Acts.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND
STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4.

IOWA PUBLIC TELEVISION

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

Judicial Review Report, pursuant to Iowa Code section 625.29.

PUBLIC DEFENDER

Judicial Review Report, pursuant to Iowa Code section 625.29.

Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62.

TREASURER OF STATE

Honey Creek Park Development Report, pursuant to Iowa Code section 463C.16.

LEADERS

The following leaders were presented plaques in appreciation of their service and dedication to the Iowa House of Representatives.

Linda L. Upmeyer	Speaker of the House
Chris Hagenow	Majority Leader
Mark Smith	Minority Leader

RETIRING MEMBERS

The following retiring members were presented plaques in appreciation of their service and dedication to the Iowa House of Representatives.

Chip Baltimore	District 47
Clel Baudler	District 20
Abby Finkenauer	District 99
Kristi Hager	District 56
Greg Heartsill	District 28
David E. Heaton	District 84
Chuck Holz	District 5
Jerry A. Kearns	District 83
Helen Miller	District 9
Ken Rizer	District 68
Larry Sheets	District 80
Rob Taylor	District 44
Todd Taylor	District 70
Guy Vander Linden	District 79
Ralph C. Watts	District 19

AMENDMENTS FILED

H-8001

1 Amend Senate File 475, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <DIVISION I
6 ONLINE EDUCATION

7 Section 1. Section 256.7, subsection 32, paragraph a, Code
8 2018, is amended to read as follows:

9 a. Adopt rules for online learning in accordance with
10 sections ~~256.41~~, 256.42; and 256.43, and criteria for waivers
11 granted pursuant to section 256.42.

12 Sec. 2. Section 256.7, subsection 32, paragraph b, Code
13 2018, is amended by striking the paragraph.

14 Sec. 3. Section 256.7, subsection 32, paragraph c, Code
15 2018, is amended to read as follows:

16 c. ~~Adopt rules that limit the statewide enrollment of~~
17 ~~pupils in educational instruction and course content that are~~
18 ~~delivered primarily over the internet to not more than eighteen~~
19 ~~one hundredths of one percent of the statewide enrollment of~~
20 ~~all pupils, and that limit the number of pupils participating~~
21 ~~in open enrollment for purposes of receiving educational~~
22 ~~instruction and course content that are delivered primarily~~
23 ~~over the internet to no more than one percent of a sending~~
24 ~~district's enrollment. Such limitations shall not apply if~~
25 ~~the limitations would prevent siblings from enrolling in the~~
26 ~~same school district or if a sending district determines that~~
27 ~~the educational needs of a physically or emotionally fragile~~
28 ~~student would be best served by educational instruction and~~
29 ~~course content that are delivered primarily over the internet.~~
30 ~~Students who meet the requirements of section 282.18 may~~
31 ~~participate in open enrollment under this paragraph "c" for~~
32 ~~purposes of enrolling only in the CAM community school district~~
33 ~~or the Clayton Ridge community school district.~~

34 (1) The department, in collaboration with the international
35 association for K-12 online learning, shall annually collect

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1 data on student performance in educational instruction and
2 course content that are delivered primarily over the internet
3 pursuant to this paragraph "c". The department shall include
4 such data in its annual report to the general assembly pursuant
5 to subparagraph (4) and shall post the data on the department's
6 internet site.

7 (2) School districts Adopt rules which require that
8 educational instruction and course content delivered primarily
9 over the internet be aligned with the Iowa core standards as
10 applicable. Under such rules, a school district may develop

11 and offer to students enrolled in the district educational
 12 instruction and course content for delivery primarily over the
 13 internet. A school district providing educational instruction
 14 and course content that are delivered primarily over the
 15 internet pursuant to this paragraph “e” shall annually submit
 16 to the department, in the manner prescribed by the department,
 17 data that includes but is not limited to the following:
 18 (a) Student achievement and demographic characteristics.
 19 (b) Retention rates.
 20 (c) The percentage of enrolled students’ active
 21 participation in extracurricular activities.
 22 (d) Academic proficiency levels, consistent with
 23 requirements applicable to all school districts and accredited
 24 nonpublic schools in this state.
 25 (e) Academic growth measures, which shall include either of
 26 the following:
 27 (i) Entry and exit assessments in, at a minimum, math
 28 and English for elementary and middle school students, and
 29 additional subjects, including science, for high school
 30 students.
 31 (ii) State-required assessments that track year-over-year
 32 improvements in academic proficiency.
 33 (f) Academic mobility. To facilitate the tracking
 34 of academic mobility, school districts shall request the
 35 following information from the parent or guardian of a student

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1 enrolled in educational instruction and course content that
 2 are delivered primarily over the internet pursuant to this
 3 ~~paragraph “e”:~~
 4 (i) For a student newly enrolling, the reasons for choosing
 5 such enrollment.
 6 (ii) For a student terminating enrollment, the reasons for
 7 terminating such enrollment.
 8 (g) Student progress toward graduation. Measurement of
 9 such progress shall account for specific characteristics of
 10 each enrolled student, including but not limited to age and
 11 course credit accrued prior to enrollment in educational
 12 instruction and course content that are delivered primarily
 13 over the internet pursuant to this paragraph “e”, and shall be
 14 consistent with evidence-based best practices.
 15 ~~(3) The department shall conduct annually a survey of not~~
 16 ~~less than ten percent of the total number of students enrolled~~
 17 ~~as authorized under this paragraph “e” and section 282.18, to~~
 18 ~~determine whether students are enrolled under this paragraph~~
 19 ~~“e” and section 282.18 to receive educational instruction and~~
 20 ~~course content primarily over the internet or are students who~~
 21 ~~are receiving competent private instruction from a licensed~~
 22 ~~practitioner provided through a school district pursuant to~~
 23 ~~chapter 299A.~~
 24 (4) (2) The department shall compile and review the data

25 collected pursuant to this paragraph “c” and shall submit its
 26 findings and recommendations for the continued delivery of
 27 educational instruction and course content by school districts
 28 pursuant to this paragraph “c” delivered primarily over the
 29 internet, in a report to the general assembly by January 15
 30 annually.

31 (5) ~~School districts providing educational instruction and~~
 32 ~~course content that are delivered primarily over the internet~~
 33 ~~pursuant to this paragraph “c” shall comply with the following~~
 34 ~~requirements relating to such instruction and content:~~

35 (a) ~~Monitoring and verifying full-time student enrollment,~~

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1 ~~timely completion of graduation requirements, course credit~~
 2 ~~accrual, and course completion.~~

3 (b) ~~Monitoring and verifying student progress and~~
 4 ~~performance in each course through a school-based assessment~~
 5 ~~plan that includes submission of coursework and security and~~
 6 ~~validity of testing.~~

7 (c) ~~Conducting parent teacher conferences.~~

8 (d) ~~Administering assessments required by the state to all~~
 9 ~~students in a proctored setting and pursuant to state law.~~

10 Sec. 4. Section 256.9, subsection 56, Code 2018, is amended
 11 to read as follows:

12 56. Develop and establish an online learning program
 13 model in accordance with rules adopted pursuant to section
 14 256.7, subsection 32, ~~paragraph “a”~~, and in accordance with
 15 section 256.43. The director shall maintain a list of approved
 16 online providers that meet the standards of section 256.42,
 17 subsection 6, and provide course content through an online
 18 learning platform taught by an Iowa licensed teacher that
 19 has specialized training or experience in online learning.
 20 Providers shall apply for approval annually or as determined
 21 by the department.

22 Sec. 5. Section 256.41, Code 2018, is amended to read as
 23 follows:

24 **~~256.41 Online learning requirements — legislative findings~~**
 25 **~~and declarations school districts.~~**

26 1. The general assembly finds and declares the following:

27 ~~a. That prior legislative enactments on the use of~~
 28 ~~telecommunications in elementary and secondary school classes~~
 29 ~~and courses did not contemplate and were not intended to~~
 30 ~~authorize participation in open enrollment under section 282.18~~
 31 ~~for purposes of attending online schools, contracts to provide~~
 32 ~~exclusively or predominantly online coursework to students, or~~
 33 ~~online coursework that does not use teachers licensed under~~
 34 ~~chapter 272 for instruction and supervision.~~

35 ~~b. That online learning technology has moved ahead of Iowa’s~~

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1 statutory framework and the current administrative rules of the
2 state board, promulgated over twenty years ago, are inadequate
3 to regulate today's virtual opportunities.

4 A school district providing educational instruction and
5 course content delivered primarily over the internet shall
6 do all of the following with regard to such instruction and
7 content:

8 a. Monitor and verify full-time student enrollment, timely
9 completion of graduation requirements, course credit accrual,
10 and course completion.

11 b. Monitor and verify student progress and performance
12 in each course through a school-based assessment plan that
13 includes submission of coursework and security and validity of
14 testing components.

15 c. Conduct parent-teacher conferences.

16 d. Administer assessments required by the state to all
17 students in a proctored setting and pursuant to state law.

18 2. Online learning curricula shall be provided and
19 supervised by a teacher licensed under chapter 272.

20 Sec. 6. Section 256.42, subsection 7, Code 2018, is amended
21 by striking the subsection and inserting in lieu thereof the
22 following:

23 7.a. The provisions of section 256.11, subsection 5, which
24 require that specified subjects be offered and taught by a
25 school district or accredited nonpublic school, shall not apply
26 for up to two specified subjects at a school district or school
27 under this section if any of the following apply:

28 (1) The school district or school makes every reasonable and
29 good faith effort to employ a teacher licensed under chapter
30 272 for the specified subject, and is unable to employ such a
31 teacher.

32 (2) Fewer than ten students typically register for
33 instruction in the specified subject at the school district or
34 school.

35 b. The department may waive for one school year the

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1 applicability of section 256.11, subsection 5, at its
2 discretion, to additional specified subjects for a school
3 district or accredited nonpublic school that proves to the
4 satisfaction of the department that the school district or
5 school has made every reasonable effort, but is unable to meet
6 the requirements of section 256.11, subsection 5. A school
7 district or accredited nonpublic school may apply for an annual
8 waiver each year.

9 c. Any specified subject course to which section 256.11,
10 subsection 5, does not apply under paragraph "a" or "b" shall
11 be provided by the initiative if the initiative offers the
12 course unless the course offered by the initiative lacks the

13 capacity to accommodate additional students. In that case,
 14 the specified subject course may instead be provided by the
 15 school district or accredited nonpublic school through an
 16 online learning platform, provided the online learning platform
 17 is taught by an Iowa licensed teacher with online learning
 18 experience and the course content is aligned with the Iowa
 19 content standards and satisfies the requirements of subsection
 20 6.

21 *d.* For purposes of this subsection, “good faith effort”
 22 means the same as defined in section 279.19A, subsection 9.

23 Sec. 7. Section 256.42, subsection 8, Code 2018, is amended
 24 to read as follows:

25 8. The department shall establish fees payable by school
 26 districts and accredited nonpublic schools participating in
 27 the initiative. Fees collected pursuant to this subsection
 28 are appropriated to the department to be used only for the
 29 purpose of administering this section and shall be established
 30 so as not to exceed the budgeted cost of administering this
 31 section to the extent not covered by the moneys appropriated
 32 in subsection 9. Providing professional development
 33 necessary to prepare teachers to participate in the initiative
 34 shall be considered a cost of administering this section.
 35 Notwithstanding section 8.33, fees collected by the department

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1 that remain unencumbered or unobligated at the close of the
 2 fiscal year shall not revert but shall remain available for
 3 expenditure for the purpose of expanding coursework offered
 4 under the initiative in subsequent fiscal years.

5 Sec. 8. Section 256.42, subsection 9, Code 2018, is amended
 6 by striking the subsection.

7 Sec. 9. Section 256.43, subsection 1, paragraph i, Code
 8 2018, is amended to read as follows:

9 *i.* Criteria for school districts or schools to use when
 10 choosing providers of online learning to meet the online
 11 learning program requirements specified in rules adopted
 12 pursuant to section 256.7, subsection 32, paragraph “a.”

13 Sec. 10. Section 256.43, subsection 2, Code 2018, is amended
 14 to read as follows:

15 2. *Private providers.* At the discretion of the school board
 16 or authorities in charge of an accredited nonpublic school,
 17 after consideration of circumstances created by necessity,
 18 convenience, and cost-effectiveness, courses developed by
 19 private providers may be utilized by the school district or
 20 school in implementing a high-quality online learning program.
 21 Courses obtained from private providers shall be taught by
 22 teachers licensed under chapter 272. A school district may
 23 provide courses developed by private providers and delivered
 24 primarily over the internet to pupils who are participating in
 25 open enrollment under section 282.18.

26

DIVISION II

27 CONCURRENT ENROLLMENT — CAREER AND TECHNICAL EXCEPTION TO
28 LIMITATION

29 Sec. 11. Section 257.11, subsection 3, Code 2018, is amended
30 by adding the following new paragraph:
31 NEW PARAGRAPH. c. Notwithstanding paragraph “b”,
32 subparagraph (1), a school district that otherwise meets the
33 requirements of this subsection may enter into a sharing
34 agreement with a community college under which the community
35 college may offer, or provide a community college-employed

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1 instructor to teach, one or more classes in only one of the
2 six career and technical education service areas specified in
3 section 256.11, subsection 5, paragraph “h”, and the pupils
4 enrolled in such a class shall be assigned additional weighting
5 in accordance with this subsection if the number of pupils
6 enrolled in such a class exceeds five and the school district’s
7 total enrollment does not exceed six hundred pupils.

8 Sec. 12. Section 261E.3, subsection 3, paragraph g, Code
9 2018, is amended to read as follows:

10 g. The school district shall certify annually to the
11 department that the course provided to a high school student
12 for postsecondary credit in accordance with this chapter does
13 not supplant a course provided by the school district in which
14 the student is enrolled, except as provided under section
15 257.11, subsection 3, paragraph “c”.

16 DIVISION III

17 STUDENT HEALTH WORKING GROUP

18 Sec. 13. STUDENT HEALTH WORKING GROUP.

19 1. The department of public health and the department
20 of education shall convene a student health working group to
21 review state-initiated student health requirements, including
22 but not limited to requirements relating to dental and vision
23 health screenings under sections 135.17 and 135.39D, blood
24 lead testing under section 135.105D, and immunizations under
25 section 139A.8, and other related requirements imposed on
26 public schools. The working group shall study measures
27 for implementing such student health screening requirements
28 while reducing the administrative burden such requirements
29 impose on public schools. The working group shall develop a
30 uniform enforcement framework that includes a single method
31 for enforcement of the current student health requirements and
32 related data collection.

33 2. Voting members of the working group shall include persons
34 deemed appropriate by the department of public health as well
35 as one representative of each of the following, appointed by

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- 1 the respective entity:
- 2 a. The department of education.

- 3 b. The department of public health.
 4 c. The area education agencies.
 5 d. The Iowa academy of family physicians.
 6 3.a. The working group shall elect a chairperson and vice
 7 chairperson from the voting members appointed.
 8 b. A majority of the voting members of the working group
 9 shall constitute a quorum.
 10 4. The department of public health and the department of
 11 education shall work cooperatively to provide staffing and
 12 administrative support to the working group.
 13 5. The working group shall submit its uniform enforcement
 14 framework, findings, and recommendations to the general
 15 assembly not later than December 31, 2018.

16 DIVISION IV

17 OPEN ENROLLMENT — EXTRACURRICULAR ACTIVITY FEE

18 Sec. 14. Section 282.18, subsection 7, Code 2018, is amended
 19 to read as follows:

- 20 7.a. A pupil participating in open enrollment shall be
 21 counted, for state school foundation aid purposes, in the
 22 pupil's district of residence. A pupil's residence, for
 23 purposes of this section, means a residence under section
 24 282.1.
 25 b. (1) The board of directors of the district of residence
 26 shall pay to the receiving district the sum of the state cost
 27 per pupil for the previous school year plus either the teacher
 28 leadership supplement state cost per pupil for the previous
 29 fiscal year as provided in section 257.9 or the teacher
 30 leadership supplement foundation aid for the previous fiscal
 31 year as provided in section 284.13, subsection 1, paragraph "d",
 32 if both the district of residence and the receiving district
 33 are receiving such supplements, plus any moneys received for
 34 the pupil as a result of the non-English speaking weighting
 35 under section 280.4, subsection 3, for the previous school

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- 1 year multiplied by the state cost per pupil for the previous
 2 year. If the pupil participating in open enrollment is also
 3 an eligible pupil under section 261E.6, the receiving district
 4 shall pay the tuition reimbursement amount to an eligible
 5 postsecondary institution as provided in section 261E.7.
 6 (2) If a pupil participates in cocurricular or
 7 extracurricular activities in accordance with subsection
 8 11A, the district of residence may deduct up to two hundred
 9 dollars per activity, for up to two activities, from the amount
 10 calculated in subparagraph (1). For a cocurricular activity,
 11 one semester shall equal one activity. Extracurricular
 12 activities for which such a resident district may charge up
 13 to two hundred dollars per activity for up to two activities
 14 under this subparagraph include interscholastic athletics,
 15 music, drama, and any other activity with a general fund
 16 expenditure exceeding five thousand dollars annually. A pupil

17 may participate in additional extracurricular activities at the
18 discretion of the resident district. The school district of
19 residence may charge the pupil a fee for participation in such
20 cocurricular or extracurricular activities equivalent to the
21 fee charged to and paid in the same manner by other resident
22 pupils.

23 Sec. 15. Section 282.18, Code 2018, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 11A. A pupil participating in open
26 enrollment for purposes of receiving educational instruction
27 and course content primarily over the internet in accordance
28 with section 256.7, subsection 32, may participate in any
29 cocurricular or extracurricular activities offered to children
30 in the pupil's grade or group and sponsored by the district
31 of residence under the same conditions and requirements
32 as the pupils enrolled in the district of residence. The
33 pupil may participate in not more than two cocurricular or
34 extracurricular activities during a school year unless the
35 resident district approves the student's participation in

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1 additional activities. The student shall comply with the
2 eligibility, conduct, and other requirements relating to the
3 activity that are established by the district of residence for
4 any student who applies to participate or who is participating
5 in the activity.

6 DIVISION V

7 DEPARTMENT OF EDUCATION — BILITERACY SEAL

8 Sec. 16. Section 256.9, Code 2018, is amended by adding the
9 following new subsection:

10 NEW SUBSECTION. 60. Develop and administer a seal of
11 biliteracy program to recognize students graduating from
12 high school who have demonstrated proficiency in two or more
13 world languages, one of which may be American sign language,
14 though one of which must be English. Participation in the
15 program by a school district, attendance center, or accredited
16 nonpublic school shall be voluntary. The department shall work
17 with stakeholders to identify standardized tests that may be
18 utilized to demonstrate proficiency. The department shall
19 produce a seal of biliteracy, which may include but need not
20 be limited to a sticker that may be affixed to a student's
21 high school transcript or a certificate that may be awarded to
22 the student. A participating school district or school shall
23 notify the department of the names of the students who have
24 qualified for the seal and the department shall provide the
25 school district or school with the appropriate number of seals
26 or other authorized endorsement. The department may charge a
27 nominal fee to cover printing and postage charges related to
28 issuance of the biliteracy seal under this subsection.

29 DIVISION VI

30 LIMITATION ON DEPARTMENT OF EDUCATION GUIDANCE

31 Sec. 17. NEW SECTION. 256.9A **Limitation on guidance and**
 32 **interpretations.**

33 1. For the purposes of this section, “*guidance*” means a
 34 document or statement issued by the department, the state
 35 board, or the director that purports to interpret a law, a

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1 rule, or other legal authority and is designed to provide
 2 advice or direction to a person regarding the implementation
 3 of or compliance with the law, the rule, or the other legal
 4 authority being interpreted.

5 2. The department, the state board, or the director shall
 6 not issue guidance inconsistent with any statute, rule, or
 7 other legal authority and shall not issue guidance that imposes
 8 any legally binding obligations or duties upon any person
 9 unless such legally binding obligations or duties are required
 10 or reasonably implied by any statute, rule, or other legal
 11 authority.

12 3. This section shall not apply to a rule adopted pursuant
 13 to chapter 17A, a declaratory order issued pursuant to section
 14 17A.9, a document or statement required by federal law or a
 15 court, or a document or statement issued in the course of a
 16 contested case proceeding, an administrative proceeding, or a
 17 judicial proceeding to which the department, the state board,
 18 or the director is a party.

19 4. Guidance issued by the department, the state board, or
 20 the director in violation of subsection 2 shall not be deemed
 21 to be legally binding.

22 Sec. 18. EFFECTIVE UPON ENACTMENT. This division of this
 23 Act, being deemed of immediate importance, takes effect upon
 24 enactment.>

COMMITTEE ON EDUCATION

H-8002

1 Amend House File 2118 as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 321.1, Code 2017, is amended by adding
 5 the following new subsection:
 6 NEW SUBSECTION. 5A. “*Automated traffic law enforcement*
 7 *system*” means a device used for the enforcement of laws
 8 regulating vehicular traffic and equipped with one or more
 9 sensors working in conjunction with one of the following:
 10 a. An official traffic-control signal, to produce recorded
 11 images of motor vehicles entering an intersection against a red
 12 signal light.
 13 b. A speed measuring device, to produce recorded images of
 14 motor vehicles traveling at a prohibited rate of speed.

15 c. A railroad grade crossing signal light, as described in
16 section 321.342, to produce recorded images of motor vehicles
17 violating the signal light.

18 d. Any official traffic-control device, if failure to comply
19 with the official traffic-control device constitutes a moving
20 violation under this chapter.

21 Sec. 2. NEW SECTION. 321.492C Automated traffic law
22 **enforcement systems.**

23 1. The department shall not place, operate, maintain,
24 or employ the use of any automated traffic law enforcement
25 system. The department shall not cause to be placed any
26 automated traffic law enforcement system except as provided in
27 this section or in rules adopted by the department under this
28 section.

29 2.a. A local authority, or another entity on a local
30 authority's behalf, shall not operate an automated traffic law
31 enforcement system without approving the use of the system
32 following an established self-certification process. The
33 self-certification process shall include a justification report
34 meeting the requirements of paragraph "b", which shall be
35 made readily available for the public to review, and a public

PAGE 2

1 hearing at which the local authority shall provide evidence
2 of a demonstrated safety need for the automated traffic law
3 enforcement system. Notice of the date, time, and place of
4 the hearing shall be published in the manner described in
5 section 362.3. A public hearing may address several locations
6 at which a local authority intends to place an automated
7 traffic law enforcement system. However, a local authority
8 shall adopt an ordinance approving the use of an automated
9 traffic law enforcement system for each location at which the
10 local authority operates a fixed or mobile automated traffic
11 law enforcement system. A local authority may approve the
12 operation of an automated traffic law enforcement system
13 only if the system is located in a documented high-crash or
14 high-risk location at which there is a demonstrated safety
15 need for the system. The local authority shall demonstrate
16 the safety need for the system based on the volume of traffic,
17 the history of motor vehicle accidents, the frequency and type
18 of traffic violations, the risk to peace officers employing
19 traditional traffic enforcement methods, any additional
20 information required in the justification report, and any other
21 safety criteria deemed appropriate by the local authority.
22 These requirements shall apply for each location at which a
23 local authority, or another entity on a local authority's
24 behalf, operates a fixed or mobile automated traffic law
25 enforcement system.

26 b. A justification report shall provide all necessary
27 information and documentation to demonstrate whether an area is
28 a high-crash or high-risk location and shall include but not be

29 limited to documentation regarding all the following:

30 (1) Existing traffic speeds, posted speed limits,
 31 traffic volumes, and intersection or roadway geometry. Such
 32 documentation shall provide assurance that existing speed
 33 limits and official traffic-control signal timings are
 34 appropriate and shall describe how the limits and timings were
 35 established.

PAGE 3

1 (2) The applicable motor vehicle accident history, the
 2 primary accident types, accident causes, accident severity, and
 3 the history of any related traffic violations. Only accidents
 4 attributable to violating the speed limit or an official
 5 traffic-control signal shall be included in this report. Such
 6 documentation shall compare accident data with data from other
 7 similar locations within the local authority's jurisdiction,
 8 other similar jurisdictions, and larger metropolitan areas.

9 (3) The identification of critical traffic safety issues
 10 related to the data required by subparagraphs (1) and (2),
 11 including a comprehensive list of solutions that may address
 12 the critical traffic safety issues.

13 (4) Solutions or safety countermeasures that the local
 14 authority has implemented along with those that the local
 15 authority has considered but not implemented. These may
 16 include solutions relating to law enforcement, engineering,
 17 public education campaigns, or other safety countermeasures.

18 (5) Discussions held and actions taken by the local
 19 authority with any partnering entities that have resources
 20 which could aid in the reduction of accidents attributable
 21 to violating the speed limit or an official traffic-control
 22 signal.

23 (6) The reason or reasons the local authority believes an
 24 automated traffic law enforcement system is the best solution
 25 to address the critical traffic safety issues.

26 c. A local authority, or another entity on a local
 27 authority's behalf, shall not operate an automated traffic law
 28 enforcement system without posting signage meeting all of the
 29 following requirements:

30 (1) For a fixed automated traffic law enforcement system,
 31 permanent signs advising drivers that the system is in place
 32 shall be posted in clear and present view of passing drivers in
 33 advance of the location where the system is in use.

34 (2) For a mobile automated traffic law enforcement system,
 35 temporary or permanent signs advising drivers that the system

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1 is in place shall be posted in clear and present view of
 2 passing drivers in advance of the location where the system is
 3 in use.

4 (3) The signage conforms to the manual on uniform

5 traffic-control devices as adopted by the department.
6 *d.* A local authority, or another entity on a local
7 authority's behalf, shall not issue a citation resulting from
8 the use of an automated traffic law enforcement system until
9 an active peace officer of the local authority has reviewed
10 the citation and any relevant recorded images produced by the
11 system.
12 *e.* The amount of the fine or civil penalty imposed by a
13 citation resulting from the use of an automated traffic law
14 enforcement system shall not exceed the amount of the fine for
15 a scheduled violation under section 805.8A for the same or a
16 similar violation of this chapter.
17 *f.* An automated traffic law enforcement system working
18 in conjunction with a speed measuring device or official
19 traffic-control signal shall comply with the generally accepted
20 procedures for operating the system. An automated traffic law
21 enforcement system shall verify its internal calibrations on a
22 daily basis. If the daily internal calibration is not valid,
23 the system shall not operate until a successful calibration
24 is subsequently conducted. In addition to the daily internal
25 calibration, a monthly calibration shall be conducted by a
26 person trained in the calibration of the system. A person
27 trained in the calibration of a mobile automated traffic law
28 enforcement system shall also conduct a calibration prior to
29 the use of the mobile system after any change in location.
30 A local authority, or another entity on a local authority's
31 behalf, operating an automated traffic law enforcement
32 system shall maintain a monthly log detailing whether the
33 local authority or entity successfully performed the daily
34 and monthly calibrations. The log and documentation of the
35 calibrations shall be admissible in any court proceeding

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1 relating to an official traffic-control signal violation
2 pursuant to section 321.257 or a speed limit violation pursuant
3 to section 321.285.
4 *g.* A local authority shall maintain or compile records
5 relating to the number of traffic violations and number
6 of traffic accidents for all locations at which the local
7 authority, or another entity on a local authority's behalf,
8 operates or intends to operate an automated traffic law
9 enforcement system. Such records shall be maintained or
10 compiled by the local authority for one year prior to the
11 installation of the automated traffic law enforcement system
12 and for each year the automated traffic law enforcement
13 system is in operation. Such records shall be available for
14 examination to the same extent allowed in section 22.2. A
15 local authority with an automated traffic law enforcement
16 system operating within its jurisdiction shall file an annual
17 report with the general assembly on or before December 31 of
18 each year detailing the effectiveness of each automated traffic

19 law enforcement system operating within its jurisdiction. An
20 annual report shall include the justification report described
21 in paragraph “b” and shall also include but not be limited to
22 information relating to increases or decreases in the number of
23 speed limit violations, violations of official traffic-control
24 signals, and traffic accidents.

25 *h.* Prior to a local authority placing an automated traffic
26 law enforcement system on a primary road, the local authority
27 shall obtain approval from the department in accordance
28 with rules adopted by the department. A local authority
29 shall submit to the department any information requested by
30 the department during the approval process. If the local
31 authority’s use of the system is approved by the department,
32 the local authority shall follow the requirements set forth
33 in rules adopted by the department. The department may
34 modify its rules relating to automated traffic law enforcement
35 systems to the extent necessary to ensure automated traffic

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1 law enforcement systems are operated in a safe and equitable
2 manner. This paragraph “h” shall not apply to an automated
3 traffic law enforcement system approved or allowed to operate
4 in accordance with rules adopted by the department and in
5 operation prior to January 1, 2017. A local authority may
6 continue to operate such a system in the same manner as the
7 system was operated prior to January 1, 2017. However, after a
8 local authority discontinues operation of such a system, any
9 new manner of operation or new system operated by the local
10 authority shall comply with this paragraph “h”. The department
11 shall have the authority to annually review all automated
12 traffic law enforcement systems placed on primary roads and
13 shall have the authority to require removal or modification of
14 such systems.

15 *i.* A local authority shall designate a process by which
16 a person may appeal a citation issued through the use of an
17 automated traffic law enforcement system, which at a minimum
18 shall provide for all of the following:

19 (1) An appeal to an impartial body created by the local
20 authority to review citations issued through the use of
21 automated traffic law enforcement systems.

22 (2) Following a decision from the impartial body that is
23 adverse to the person, an appeal to the district court, sitting
24 in small claims, of the county in which the local authority is
25 located.

26 *j.*(1) A local authority shall authorize a petition process
27 by which citizens within the local authority may petition for
28 the removal of a fixed automated traffic law enforcement system
29 or the disapproval of a location approved for the use of mobile
30 automated traffic law enforcement systems in accordance with
31 this section. Petitions under this paragraph “j” shall be
32 specific to one fixed system or one location approved for the

33 use of mobile systems.

34 (2) If the local authority is a city, a petition brought
35 under this paragraph "j" is valid if it is signed by a number

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1 of eligible electors of the city equal to or greater than ten
2 percent of the number of persons who voted in the last regular
3 city election. The petition shall include the signatures of
4 the petitioners, the places of residence of the petitioners,
5 and the date on which the petitioners signed the petition.

6 (3) If the local authority is a county, a petition brought
7 under this paragraph "j" is valid if it is signed by a number
8 of eligible electors of the county equal to or greater than
9 ten percent of the number of votes cast in the county in the
10 last presidential election. The petition shall include the
11 signatures of the petitioners, the places of residence of the
12 petitioners, and the date on which the petitioners signed the
13 petition.

14 (4) If a petition is valid as provided in this paragraph
15 "j", the city council or county board of supervisors, as
16 applicable, shall vote on whether to repeal the ordinance
17 allowing the operation of the fixed system or approving the
18 location for the use of mobile systems.

19 (5) If a city council or county board of supervisors has
20 voted pursuant to subparagraph (4), a new petition for the same
21 fixed system or the same location approved for use of mobile
22 systems shall not be valid for three years after the date of
23 the vote.

24 k. A local authority that operates an automated traffic
25 law enforcement system in violation of this section shall be
26 precluded from operating any automated traffic law enforcement
27 system for a period of two years. A citizen residing within
28 the jurisdiction of a local authority which violates this
29 section shall be allowed to file suit to enjoin the local
30 authority from operating an automated traffic law enforcement
31 system in accordance with this paragraph "k".

32 3. All moneys collected by a local authority from citations
33 issued as a result of the use of an automated traffic law
34 enforcement system, less the amount necessary for the
35 installation, operation, and maintenance of the automated

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1 traffic law enforcement system, shall be deposited in the
2 account or accounts maintained by the local authority for
3 moneys appropriated to the local authority from the secondary
4 road fund or street construction fund of the cities, or shall
5 be deposited in any account and used for the purposes of public
6 safety. This subsection shall not apply to moneys collected
7 for court costs or other associated costs, the criminal penalty
8 surcharge required by section 911.1, or the county enforcement

- 9 surcharge required by section 911.4, as applicable.>
- 10 2. Title page, by striking lines 1 through 3 and inserting
- 11 <An Act regulating the use of automated traffic law enforcement
- 12 systems, and providing a penalty.>
- 13 3. By renumbering as necessary.

CARLSON of Muscatine

H-8003

- 1 Amend House File 2118 as follows:
- 2 1. By striking everything after the enacting clause and
- 3 inserting:
- 4 <Section 1. Section 321.1, Code 2018, is amended by adding
- 5 the following new subsection:
- 6 NEW SUBSECTION. 06B. *“Automated traffic law enforcement*
- 7 *system”* means a device used for the enforcement of laws
- 8 regulating vehicular traffic and equipped with one or more
- 9 sensors working in conjunction with one of the following:
- 10 a. An official traffic-control signal, to produce recorded
- 11 images of motor vehicles entering an intersection against a red
- 12 signal light.
- 13 b. A speed measuring device, to produce recorded images of
- 14 motor vehicles traveling at a prohibited rate of speed.
- 15 c. A railroad grade crossing signal light, as described in
- 16 section 321.342, to produce recorded images of motor vehicles
- 17 violating the signal light.
- 18 d. Any official traffic-control device, if failure to comply
- 19 with the official traffic-control device constitutes a moving
- 20 violation under this chapter.
- 21 Sec. 2.NEW SECTION. **321.492C Automated traffic law**
- 22 **enforcement systems.**
- 23 1. The department shall not place, operate, maintain,
- 24 or employ the use of any automated traffic law enforcement
- 25 system. The department shall not cause to be placed any
- 26 automated traffic law enforcement system except as provided in
- 27 this section or in rules adopted by the department under this
- 28 section.
- 29 2.a. A local authority, or another entity on a local
- 30 authority’s behalf, shall not operate an automated traffic law
- 31 enforcement system without approving the use of the system
- 32 following an established self-certification process. The
- 33 self-certification process shall include a justification report
- 34 meeting the requirements of paragraph “b”, which shall be
- 35 made readily available for the public to review, and a public

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- 1 hearing at which the local authority shall provide evidence
- 2 of a demonstrated safety need for the automated traffic law
- 3 enforcement system. Notice of the date, time, and place of the
- 4 hearing shall be published in the manner described in section

5 362.3. A public hearing may address several locations at
6 which a local authority intends to place an automated traffic
7 law enforcement system. However, a local authority shall
8 adopt a separate ordinance approving the use of an automated
9 traffic law enforcement system for each location at which the
10 local authority operates a fixed or mobile automated traffic
11 law enforcement system. A local authority may approve the
12 operation of an automated traffic law enforcement system
13 only if the system is located in a documented high-crash or
14 high-risk location at which there is a demonstrated safety
15 need for the system. The local authority shall demonstrate
16 the safety need for the system based on the volume of traffic,
17 the history of motor vehicle accidents, the frequency and type
18 of traffic violations, the risk to peace officers employing
19 traditional traffic enforcement methods, any additional
20 information required in the justification report, and any other
21 safety criteria deemed appropriate by the local authority.
22 These requirements shall apply for each location at which a
23 local authority, or another entity on a local authority's
24 behalf, operates a fixed or mobile automated traffic law
25 enforcement system.

26 b. A justification report shall provide all necessary
27 information and documentation to demonstrate whether an area is
28 a high-crash or high-risk location and shall include but not be
29 limited to documentation regarding all the following:

30 (1) Existing traffic speeds, posted speed limits,
31 traffic volumes, and intersection or roadway geometry. Such
32 documentation shall provide assurance that existing speed
33 limits and official traffic-control signal timings are
34 appropriate and shall describe how the limits and timings were
35 established.

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1 (2) The applicable motor vehicle accident history,
2 including accident severity, and the history of traffic
3 violations for accidents occurring at the location attributable
4 to violating the speed limit or an official traffic-control
5 signal. Such documentation shall compare accident data with
6 data from other similar locations within the local authority's
7 jurisdiction, other similar jurisdictions, and larger
8 metropolitan areas.

9 (3) The identification of critical traffic safety issues
10 related to the data required by subparagraphs (1) and (2),
11 including a comprehensive list of solutions that may address
12 the critical traffic safety issues.

13 (4) Solutions or safety countermeasures that the local
14 authority has implemented along with those that the local
15 authority has considered but not implemented. These may
16 include solutions relating to law enforcement, engineering,
17 public education campaigns, or other safety countermeasures.

18 (5) Discussions held and actions taken by the local

19 authority with any partnering entities that have resources
20 which could aid in the reduction of accidents attributable
21 to violating the speed limit or an official traffic-control
22 signal.

23 (6) The reason or reasons the local authority believes an
24 automated traffic law enforcement system is the best solution
25 to address the critical traffic safety issues.

26 c. A local authority, or another entity on a local
27 authority's behalf, shall not operate an automated traffic law
28 enforcement system without posting signage meeting all of the
29 following requirements:

30 (1) For a fixed automated traffic law enforcement system,
31 permanent signs advising drivers that the system is in place
32 shall be posted in clear and present view of passing drivers in
33 advance of the location where the system is in use.

34 (2) For a mobile automated traffic law enforcement system,
35 temporary or permanent signs advising drivers that the system

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1 is in place shall be posted in clear and present view of
2 passing drivers in advance of the location where the system is
3 in use.

4 (3) The signage conforms to the manual on uniform
5 traffic-control devices as adopted by the department.

6 d. A local authority, or another entity on a local
7 authority's behalf, shall not issue a citation resulting from
8 the use of an automated traffic law enforcement system until
9 an active peace officer of the local authority has reviewed
10 the citation and any relevant recorded images produced by the
11 system.

12 e. The amount of the fine or civil penalty imposed by a
13 citation resulting from the use of an automated traffic law
14 enforcement system shall not exceed the amount of the fine for
15 a scheduled violation under section 805.8A for the same or a
16 similar violation of this chapter.

17 f. An automated traffic law enforcement system working
18 in conjunction with a speed measuring device or official
19 traffic-control signal shall comply with the generally accepted
20 procedures for operating the system. An automated traffic law
21 enforcement system shall verify its internal calibrations on a
22 daily basis. If the daily internal calibration is not valid,
23 the system shall not operate until a successful calibration
24 is subsequently conducted. In addition to the daily internal
25 calibration, a monthly calibration shall be conducted by a
26 person trained in the calibration of the system. A person
27 trained in the calibration of a mobile automated traffic law
28 enforcement system shall also conduct a calibration prior to
29 the use of the mobile system after any change in location.
30 A local authority, or another entity on a local authority's
31 behalf, operating an automated traffic law enforcement
32 system shall maintain a monthly log detailing whether the

33 local authority or entity successfully performed the monthly
34 calibrations and whether the system successfully performed the
35 daily internal calibrations. The log and documentation of

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1 the calibrations shall be admissible in any court proceeding
2 relating to an official traffic-control signal violation
3 pursuant to section 321.257 or a speed limit violation pursuant
4 to section 321.285.
5 *g.* A local authority shall maintain or compile records
6 relating to the number of traffic violations and number
7 of traffic accidents for all locations at which the local
8 authority, or another entity on a local authority's behalf,
9 operates or intends to operate an automated traffic law
10 enforcement system. Such records shall be maintained or
11 compiled by the local authority for one year prior to the
12 installation of the automated traffic law enforcement system
13 and for each year the automated traffic law enforcement
14 system is in operation. Such records shall be available for
15 examination to the same extent allowed in section 22.2. A
16 local authority with an automated traffic law enforcement
17 system operating within its jurisdiction shall file an annual
18 report with the general assembly on or before December 31 of
19 each year detailing the effectiveness of each automated traffic
20 law enforcement system operating within its jurisdiction. An
21 annual report shall include the justification report described
22 in paragraph "b" and shall also include but not be limited to
23 information relating to increases or decreases in the number of
24 speed limit violations, violations of official traffic-control
25 signals, and traffic accidents.
26 *h.* Prior to a local authority placing an automated traffic
27 law enforcement system on a primary road, the local authority
28 shall obtain approval from the department in accordance
29 with rules adopted by the department. A local authority
30 shall submit to the department any information requested by
31 the department during the approval process. If the local
32 authority's use of the system is approved by the department,
33 the local authority shall follow the requirements set forth
34 in rules adopted by the department. The department may
35 modify its rules relating to automated traffic law enforcement

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1 systems to the extent necessary to ensure automated traffic
2 law enforcement systems are operated in a safe and equitable
3 manner. This paragraph "h" shall not apply to an automated
4 traffic law enforcement system approved or allowed to operate
5 in accordance with rules adopted by the department and in
6 operation prior to January 1, 2018. A local authority may
7 continue to operate such a system in the same manner as the
8 system was operated prior to January 1, 2018. However, after a

9 local authority discontinues operation of such a system, any
10 new manner of operation or new system operated by the local
11 authority shall comply with this paragraph "h". The department
12 shall have the authority to annually review all automated
13 traffic law enforcement systems placed on primary roads and
14 shall have the authority to require removal or modification of
15 such systems.

16 *i.* A local authority shall designate a process by which
17 a person may appeal a citation issued through the use of an
18 automated traffic law enforcement system, which at a minimum
19 shall provide for all of the following:

20 (1) An appeal to an impartial body created by the local
21 authority to review citations issued through the use of
22 automated traffic law enforcement systems.

23 (2) Following a decision from the impartial body that is
24 adverse to the person, an appeal to the district court, sitting
25 in small claims, of the county in which the local authority is
26 located.

27 *j.*(1) A local authority shall authorize a petition process
28 by which citizens within the local authority may petition for
29 the removal of a fixed automated traffic law enforcement system
30 or the disapproval of a location approved for the use of mobile
31 automated traffic law enforcement systems in accordance with
32 this section. Petitions under this paragraph "j" shall be
33 specific to one fixed system or one location approved for the
34 use of mobile systems.

35 (2) If the local authority is a city, a petition brought

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1 under this paragraph "j" is valid if it is signed by a number
2 of eligible electors of the city equal to or greater than ten
3 percent of the number of persons who voted in the last regular
4 city election. The petition shall include the signatures of
5 the petitioners, the places of residence of the petitioners,
6 and the date on which the petitioners signed the petition.

7 (3) If the local authority is a county, a petition brought
8 under this paragraph "j" is valid if it is signed by a number
9 of eligible electors of the county equal to or greater than
10 ten percent of the number of votes cast in the county in the
11 last presidential election. The petition shall include the
12 signatures of the petitioners, the places of residence of the
13 petitioners, and the date on which the petitioners signed the
14 petition.

15 (4) If a petition is valid as provided in this paragraph
16 "j", the city council or county board of supervisors, as
17 applicable, shall vote on whether to repeal the ordinance
18 allowing the operation of the fixed system or approving the
19 location for the use of mobile systems.

20 (5) If a city council or county board of supervisors has
21 voted pursuant to subparagraph (4), a new petition for the same
22 fixed system or the same location approved for use of mobile

23 systems shall not be valid for three years after the date of
 24 the vote.
 25 *k.* A local authority that operates an automated traffic
 26 law enforcement system in violation of this section shall be
 27 precluded from operating any automated traffic law enforcement
 28 system for a period of two years. A citizen residing within
 29 the jurisdiction of a local authority which violates this
 30 section shall be allowed to file suit to enjoin the local
 31 authority from operating an automated traffic law enforcement
 32 system in accordance with this paragraph “*k*”.
 33 3. All moneys collected by a local authority from citations
 34 issued as a result of the use of an automated traffic law
 35 enforcement system, less the amount necessary for the

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1 installation, operation, and maintenance of the automated
 2 traffic law enforcement system, shall be deposited in the
 3 account or accounts maintained by the local authority for
 4 moneys appropriated to the local authority from the secondary
 5 road fund or street construction fund of the cities, or shall
 6 be deposited in any account and used for the purposes of public
 7 safety.>
 8 2. Title page, by striking lines 1 through 3 and inserting
 9 <An Act regulating the use of automated traffic law enforcement
 10 systems, and providing penalties.>

MEYER of Polk

H-8004

1 Amend House File 2230 as follows:
 2 1. Page 1, line 10, by striking <one> and inserting <three>
 3 2. Page 1, line 24, by striking <one> and inserting <three>

STECKMAN of Cerro Gordo

H-8005

1 Amend House File 2117 as follows:
 2 1. Page 1, after line 6 by inserting:
 3 <Ob. “Attorney” means the state public defender, a public
 4 defender office, or an attorney or nonprofit legal organization
 5 appointed by the court as a designee of the state public
 6 defender.>
 7 2. Page 1, by striking lines 21 through 31 and inserting
 8 <possession of the agency, at no cost, upon request of an
 9 attorney representing an indigent person, if the document is
 10 discoverable under rule of criminal procedure 2.14 pursuant to
 11 an investigation or legal representation being conducted by
 12 the attorney. If a document is provided to an attorney, the
 13 attorney shall provide the agency with a storage or electronic

14 transfer device or system to be used to store or transfer the
 15 document. However, in providing the document to the attorney,
 16 the agency shall include, upon request, software necessary to
 17 access the document.>

JONES of Clay

H-8006

1 Amend House File 619 as follows:
 2 1. Page 1, after line 22 by inserting:
 3 <5. The department shall prepare an annual report reviewing
 4 the fees established pursuant to this section. The report
 5 shall include information about fees and occupancy rates
 6 at each camping and rental facility in the state under the
 7 jurisdiction of the department, special promotional events or
 8 holiday rates for which fees were increased, reduced, or waived
 9 at those camping and rental facilities, and any recommendations
 10 for changes in fees or rules adopted pursuant to this section.
 11 The report shall be submitted to the general assembly by
 12 December 31 of each year.>
 13 2. Page 1, line 23, by striking <2017> and inserting <2018>

MAXWELL of Poweshiek

H-8007

1 Amend House File 2230, as passed by the House, as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <DIVISION I
 4 PERCENTS OF GROWTH — REPLACEMENT PAYMENTS>
 5 2. Page 2, line 34, after <This> by inserting <division of
 6 this>
 7 3. Page 2, after line 35 by inserting:
 8 <DIVISION ___
 9 STATE AND DISTRICT COSTS PER PUPIL
 10 Sec. ___. Section 257.2, subsection 12, Code 2018, is
 11 amended to read as follows:
 12 12. “*Supplemental state aid*” means the amount by which state
 13 cost per pupil and district cost per pupil will increase from
 14 one budget year to the next as the result of the state percent
 15 of growth.
 16 Sec. ___. Section 257.8, subsection 5, Code 2018, is amended
 17 to read as follows:
 18 5. *Alternate supplemental state aid — definitions*.
 19 a. For budget years beginning July 1, 2000, and subsequent
 20 budget years, references to the terms “*supplemental state aid*”,
 21 “*regular program state cost per pupil*”, and “*regular program*
 22 *district cost per pupil*” shall mean those terms as calculated
 23 for those school districts that calculated regular program
 24 supplemental state aid for the school budget year beginning
 25 July 1, 1999, with the additional thirty-eight dollars

26 specified in section 257.8, subsection 4, Code 2013.
27 *b.* For the budget year beginning July 1, 2018, and
28 subsequent budget years, references to “supplemental state
29 aid” and “regular program state cost per pupil” shall mean
30 those terms as calculated including the additional amount for
31 the budget year beginning July 1, 2018, under section 257.9,
32 subsection 2, paragraph “*b*”, and references to “regular program
33 district cost per pupil” shall mean that term as calculated
34 including any adjustments made under section 257.10, subsection
35 2.

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1 Sec. ____ Section 257.9, subsection 2, Code 2018, is amended
2 to read as follows:
3 *2. Regular program state cost per pupil for 1992-1993 and*
4 *succeeding years.*
5 *a.* For the budget year beginning July 1, 1992, and
6 succeeding budget years beginning before July 1, 2018, the
7 regular program state cost per pupil for a budget year is the
8 regular program state cost per pupil for the base year plus the
9 regular program supplemental state aid for the budget year.
10 *b.* For the budget year beginning July 1, 2018, the regular
11 program state cost per pupil is the regular program state
12 cost per pupil for the base year plus the regular program
13 supplemental state aid for the budget year, plus five dollars.
14 *c.* For the budget year beginning July 1, 2019, and
15 succeeding budget years, the regular program state cost per
16 pupil for a budget year is the regular program state cost per
17 pupil for the base year plus the regular program supplemental
18 state aid for the budget year.
19 Sec. ____ Section 257.10, subsection 2, paragraph b, Code
20 2018, is amended to read as follows:
21 *b.* If the regular program district cost per pupil of a
22 school district for the budget year under paragraph “*a*” exceeds
23 one hundred five percent of the regular program state cost
24 per pupil for the budget year and the state percent of growth
25 for the budget year is greater than two percent, the regular
26 program district cost per pupil for the budget year for that
27 district shall be reduced to one hundred five percent of the
28 regular program state cost per pupil for the budget year.
29 However, under such conditions, if the difference between the
30 regular program district cost per pupil for the budget year and
31 the regular program state cost per pupil for the budget year
32 is greater than an amount equal to two percent multiplied by
33 the regular program state cost per pupil for the base year, the
34 regular program district cost per pupil for the budget year
35 shall be reduced by the amount equal to two percent multiplied

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1 by the regular program state cost per pupil for the base year.

2 Sec. ____ Section 257.10, subsection 2, Code 2018, is
 3 amended by adding the following new paragraph:
 4 NEW PARAGRAPH. c. For the budget year beginning July 1,
 5 2018, and succeeding budget years, if the regular program
 6 district cost per pupil for the budget year calculated under
 7 this subsection in any school district is less than the
 8 regular program state cost per pupil for the budget year, the
 9 department of management shall increase the regular program
 10 district cost per pupil of that district to an amount equal to
 11 the regular program state cost per pupil for the budget year.
 12 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
 13 Act, being deemed of immediate importance, takes effect upon
 14 enactment.

15 DIVISION ____
 16 SCHOOL DISTRICT SUPPLEMENTARY WEIGHTING
 17 Sec. ____ Section 257.10, subsection 8, paragraph a, Code
 18 2018, is amended to read as follows:
 19 a. Combined district cost is the sum of the regular
 20 program district cost per pupil multiplied by the weighted
 21 enrollment minus the additional pupils added due to section
 22 257.11, subsection 7A, the regular program state cost per pupil
 23 multiplied by the number of pupils added due to section 257.11,
 24 subsection 7A, the special education support services district
 25 cost, the total teacher salary supplement district cost, the
 26 total professional development supplement district cost, the
 27 total early intervention supplement district cost, and the
 28 total teacher leadership supplement district cost, plus the sum
 29 of the additional district cost allocated to the district to
 30 fund media services and educational services provided through
 31 the area education agency, the area education agency total
 32 teacher salary supplement district cost and the area education
 33 agency total professional development supplement district cost.
 34 Sec. ____ Section 257.11, Code 2018, is amended by adding
 35 the following new subsection:

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1 NEW SUBSECTION. 7A. *School district transportation costs.*
 2 a. In order to provide additional funds for school district
 3 transportation costs resulting from the transportation of
 4 resident pupils required by chapter 285 and paid from sources
 5 other than the district's physical plant and equipment levy
 6 fund under section 298A.4 or revenue received from the secure
 7 advanced vision for education fund under section 423F.2, a
 8 supplementary weighting plan for such pupils is adopted.
 9 b. For the budget year beginning July 1, 2018, and each
 10 succeeding budget year, each school district shall be assigned
 11 a supplementary weighting amount equal to ten percent of the
 12 combined weighting amount calculated under paragraph "c",
 13 subparagraph (2), for that budget year.
 14 c.(1)(a) *Transportation cost factor.* For each budget
 15 year beginning on or after July 1, 2018, the department of

16 management shall calculate for each school district all of the
17 following:

18 (i) The sum of the school district's total transportation
19 costs incurred for the transportation of pupils required under
20 chapter 285, and paid from sources other than the district's
21 physical plant and equipment levy fund under section 298A.4
22 or revenue received from the secure an advanced vision for
23 education fund under section 423F.2, for the three years
24 immediately preceding the base year.

25 (ii) The sum of the school district's regular program
26 district cost for the three years immediately preceding the
27 base year, excluding amounts attributable to budget adjustments
28 received under section 257.14.

29 (iii) The school district's budget enrollment multiplied by
30 the quotient of the school district's amount under subparagraph
31 subdivision (i) divided by the school district's amount under
32 subparagraph subdivision (ii).

33 (iv) The school district's amount under subparagraph
34 subdivision (iii) divided by the sum of the amounts calculated
35 under subparagraph subdivision (iii) for all school districts.

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1 (v) The amount calculated under subparagraph subdivision
2 (iv) multiplied by ninety percent of the sum of all school
3 districts' transportation costs incurred for the transportation
4 of pupils required under chapter 285 for the year preceding
5 the base year and paid from sources other than the district's
6 physical plant and equipment levy fund under section 298A.4
7 or revenue received from the secure an advanced vision for
8 education fund under section 423F.2.

9 (vi) The quotient of the amount calculated under
10 subparagraph subdivision (v) divided by the regular program
11 state cost per pupil for the budget year.

12 (b) *Budget enrollment factor.* For each budget year
13 beginning on or after July 1, 2018, the department of
14 management shall calculate for each school district all of the
15 following:

16 (i) The quotient of the school district's budget enrollment
17 divided by the statewide total budget enrollment multiplied by
18 five percent of the sum of all school districts' transportation
19 costs incurred for the transportation of pupils required under
20 chapter 285 for the year preceding the base year and paid from
21 sources other than the district's physical plant and equipment
22 levy fund under section 298A.4 or revenue received from the
23 secure an advanced vision for education fund under section
24 423F.2.

25 (ii) The amount calculated under subparagraph subdivision
26 (i) divided by the regular program state cost per pupil for the
27 budget year.

28 (c) *Route miles factor.* For each budget year beginning
29 on or after July 1, 2018, the department of management shall

- 30 calculate for each school district all of the following:
- 31 (i) The quotient of the school district's total route
 32 miles traveled for the transportation of pupils required under
 33 chapter 285 for the year preceding the base year divided by the
 34 school district's budget enrollment.
- 35 (ii) The school district's amount under subparagraph

PAGE 6

- 1 subdivision (i) divided by the sum of the amounts calculated
 2 under subparagraph subdivision (i) for all school districts.
- 3 (iii) The amount calculated under subparagraph subdivision
 4 (ii) multiplied by five percent of the sum of all school
 5 districts' transportation costs incurred for the transportation
 6 of pupils required under chapter 285 for the year preceding
 7 the base year and paid from sources other than the district's
 8 physical plant and equipment levy fund under section 298A.4
 9 or revenue received from the secure an advanced vision for
 10 education fund under section 423F.2.
- 11 (iv) The amount calculated under subparagraph subdivision
 12 (iii) divided by the regular program state cost per pupil for
 13 the budget year.
- 14 (2) The combined weighting amount for each school district
 15 is the sum of the following:
- 16 (a) The amount calculated under subparagraph (1),
 17 subparagraph division (a), subparagraph subdivision (vi).
- 18 (b) The amount calculated under subparagraph (1),
 19 subparagraph division (b), subparagraph subdivision (ii).
- 20 (c) The amount calculated under subparagraph (1),
 21 subparagraph division (c), subparagraph subdivision (iv).
- 22 *d.* Funding received by a school district as the result of
 23 supplementary weighting under this subsection shall not affect
 24 a school district's eligibility for transportation assistance
 25 under section 257.31, subsection 17.
- 26 *e.* Amounts received by a school district as the result
 27 of supplementary weighting under this subsection shall be
 28 deposited in the school district's general fund and may be used
 29 for any general fund purpose.
- 30 *f.* If a school district established as the result of a
 31 reorganization under chapter 275 does not have sufficient
 32 transportation cost data, regular program district cost per
 33 pupil data, or enrollment data for the calculation of amounts
 34 required under this subsection, the department of management
 35 shall use estimated transportation cost data, regular program

PAGE 7

- 1 district cost per pupil data, and enrollment data derived from
 2 data for prior budget years from each district involved in
 3 the reorganization until such amounts can be calculated using
 4 actual data for the reorganized school district.
- 5 *g.* For the budget years beginning July 1, 2018, July 1,

6 2019, and July 1, 2020, and if necessary, any subsequent budget
 7 years, if insufficient or incomplete transportation cost data
 8 makes the implementation of this subsection impractical, the
 9 department of management shall, in consultation with the
 10 department of education and the legislative services agency,
 11 establish procedures and modified methodologies for calculating
 12 supplementary weighting and funding amounts under this
 13 subsection.

14 Sec. ____ Section 257.11, subsection 8, Code 2018, is
 15 amended to read as follows:

16 8. *Pupils ineligible.* A Except for transportation weighting
 17 under subsection 7A, a pupil eligible for the weighting plan
 18 provided in section 256B.9 is not eligible for supplementary
 19 weighting pursuant to this section unless it is determined
 20 that the course generating the supplemental weighting has no
 21 relationship to the pupil's disability. A pupil attending an
 22 alternative program or an at-risk pupils' program, including
 23 alternative high school programs, is not eligible for
 24 supplementary weighting under subsection 2.

25 Sec. ____ Section 257.31, subsection 17, paragraphs a and d,
 26 Code 2018, are amended to read as follows:

27 a. If a district's average transportation costs per
 28 pupil exceed the state average transportation costs per
 29 pupil determined under paragraph "c" by one hundred fifty
 30 percent, the committee may grant transportation assistance aid
 31 to the district using exclusively the funds transferred to
 32 the committee in accordance with section 321.34, subsection
 33 22. Such aid shall be miscellaneous income and shall not be
 34 included in district cost.

35 d. Funds transferred to the committee in accordance with

PAGE 8

1 section 321.34, subsection 22, are appropriated to and may be
 2 expended for the purposes of the committee, as described in
 3 ~~this section~~ subsection. However, highest priority shall be
 4 given to districts that meet the conditions described in this
 5 subsection. Notwithstanding any other provision of the Code,
 6 unencumbered or unobligated funds transferred to the committee
 7 pursuant to section 321.34, subsection 22, remaining on June
 8 30 of the fiscal year for which the funds were transferred,
 9 shall not revert but shall be available for expenditure for the
 10 purposes of this subsection in subsequent fiscal years.

11 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
 12 Act, being deemed of immediate importance, takes effect upon
 13 enactment.>

14 4. Title page, by striking lines 2 through 5 and inserting
 15 <modifying and establishing provisions relating to the funding
 16 of school districts, and including effective>

17 5. By renumbering, redesignating, and correcting internal
 18 references as necessary.

H-8008

- 1 Amend House File 2297 as follows:
 2 1. Page 1, line 3, by striking <heating>
 3 2. Page 1, line 5, by striking <annually> and inserting
 4 <annually>

DEYOE of Story

H-8009

- 1 Amend House File 2276 as follows:
 2 1. Page 1, line 17, after <a.> by inserting <(1)>
 3 2. Page 1, after line 20 by inserting:
 4 <(2) A school administrator or the school administrator's
 5 designee shall not unreasonably withhold issuing written
 6 permission under this paragraph.>

OLSON of Polk

H-8010

- 1 Amend Senate File 455, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <DIVISION I
 6 STATE AND DISTRICT COSTS PER PUPIL
 7 Section 1. Section 257.2, subsection 12, Code 2018, is
 8 amended to read as follows:
 9 12. "*Supplemental state aid*" means the amount by which state
 10 cost per pupil and district cost per pupil will increase from
 11 one budget year to the next as the result of the state percent
 12 of growth.
 13 Sec. 2. Section 257.8, subsection 5, Code 2018, is amended
 14 to read as follows:
 15 5. *Alternate supplemental state aid — definitions.*
 16 a. For budget years beginning July 1, 2000, and subsequent
 17 budget years, references to the terms "*supplemental state aid*",
 18 "*regular program state cost per pupil*", and "*regular program*
 19 *district cost per pupil*" shall mean those terms as calculated
 20 for those school districts that calculated regular program
 21 supplemental state aid for the school budget year beginning
 22 July 1, 1999, with the additional thirty-eight dollars
 23 specified in section 257.8, subsection 4, Code 2013.
 24 b. For the budget year beginning July 1, 2018, and
 25 subsequent budget years, references to "*supplemental state*
 26 *aid*" and "*regular program state cost per pupil*" shall mean
 27 those terms as calculated including the additional amount for
 28 the budget year beginning July 1, 2018, under section 257.9,
 29 subsection 2, paragraph "b", and references to "*regular program*

30 district cost per pupil” shall mean that term as calculated
 31 including any adjustments made under section 257.10, subsection
 32 2.
 33 Sec. 3. Section 257.9, subsection 2, Code 2018, is amended
 34 to read as follows:
 35 2. *Regular program state cost per pupil for 1992-1993 and*

PAGE 2

1 *succeeding years.*
 2 a. For the budget year beginning July 1, 1992, and
 3 succeeding budget years beginning before July 1, 2018, the
 4 regular program state cost per pupil for a budget year is the
 5 regular program state cost per pupil for the base year plus the
 6 regular program supplemental state aid for the budget year.
 7 b. For the budget year beginning July 1, 2018, the regular
 8 program state cost per pupil is the regular program state
 9 cost per pupil for the base year plus the regular program
 10 supplemental state aid for the budget year, plus five dollars.
 11 c. For the budget year beginning July 1, 2019, and
 12 succeeding budget years, the regular program state cost per
 13 pupil for a budget year is the regular program state cost per
 14 pupil for the base year plus the regular program supplemental
 15 state aid for the budget year.
 16 Sec. 4. Section 257.10, subsection 2, paragraph b, Code
 17 2018, is amended to read as follows:
 18 b. If the regular program district cost per pupil of a
 19 school district for the budget year under paragraph “a” exceeds
 20 one hundred five percent of the regular program state cost
 21 per pupil for the budget year and the state percent of growth
 22 for the budget year is greater than two percent, the regular
 23 program district cost per pupil for the budget year for that
 24 district shall be reduced to one hundred five percent of the
 25 regular program state cost per pupil for the budget year.
 26 However, under such conditions, if the difference between the
 27 regular program district cost per pupil for the budget year and
 28 the regular program state cost per pupil for the budget year
 29 is greater than an amount equal to two percent multiplied by
 30 the regular program state cost per pupil for the base year, the
 31 regular program district cost per pupil for the budget year
 32 shall be reduced by the amount equal to two percent multiplied
 33 by the regular program state cost per pupil for the base year.
 34 Sec. 5. Section 257.10, subsection 2, Code 2018, is amended
 35 by adding the following new paragraph:

PAGE 3

1 NEW PARAGRAPH. c. For the budget year beginning July 1,
 2 2018, and succeeding budget years, if the regular program
 3 district cost per pupil for the budget year calculated under
 4 this subsection in any school district is less than the
 5 regular program state cost per pupil for the budget year, the

6 department of management shall increase the regular program
 7 district cost per pupil of that district to an amount equal to
 8 the regular program state cost per pupil for the budget year.
 9 Sec. 6.EFFECTIVE UPON ENACTMENT. This division of this
 10 Act, being deemed of immediate importance, takes effect upon
 11 enactment.

12 DIVISION II

13 SCHOOL DISTRICT TRANSPORTATION COSTS

14 Sec. 7.NEW SECTION. **257.16C Transportation equity program**
 15 — **fund.**

16 1. A transportation equity program is established to
 17 provide prioritized additional funding for school districts
 18 with a transportation cost per pupil that exceeds the statewide
 19 adjusted transportation cost per pupil for the same budget
 20 year.

21 2.a. For the budget year beginning July 1, 2018, and
 22 each succeeding budget year, the department of management
 23 shall annually determine a statewide adjusted transportation
 24 cost per pupil that is not lower than the statewide average
 25 transportation cost per pupil. The statewide adjusted
 26 transportation cost per pupil shall be annually determined, by
 27 taking into account amounts appropriated to the transportation
 28 equity fund under subsection 3, for the purpose of providing
 29 transportation equity aid for those school districts with the
 30 highest transportation cost per pupil differential.

31 b. Each school district that satisfies the criteria of
 32 subsection 1 shall receive transportation equity aid in an
 33 amount equal to the school district's actual enrollment for
 34 the school year, excluding the shared-time enrollment for the
 35 school year, multiplied by the school district's transportation

PAGE 4

1 cost per pupil differential for the budget year.

2 c. For purposes of this section:

3 (1) "*Statewide average transportation cost per pupil*" means
 4 the total transportation cost for all school districts in the
 5 state used to calculate each school district's transportation
 6 cost per pupil under paragraph "d" divided by the total
 7 enrollment for all school districts used to calculate each
 8 school district's transportation cost per pupil under paragraph
 9 "d".

10 (2) "*Transportation cost per pupil differential*" means an
 11 amount equal to a school district's transportation cost per
 12 pupil minus the statewide adjusted transportation cost per
 13 pupil for the same budget year.

14 d. A school district's transportation cost per pupil
 15 shall be determined by dividing the school district's actual
 16 transportation cost for all children transported in all school
 17 buses for a school year pursuant to section 285.1, subsection
 18 12, less the amount received for transporting nonpublic school
 19 pupils under section 285.1, by the district's actual enrollment

20 for the school year, excluding the shared-time enrollment for
21 the school year as defined in section 257.6.

22 3.a. A transportation equity fund is created as a separate
23 and distinct fund in the state treasury under the control of
24 the department of management. Moneys in the fund include
25 revenues credited to the fund, appropriations made to the
26 fund, and other moneys deposited in the fund. For each fiscal
27 year beginning on or after July 1, 2018, there is appropriated
28 all moneys in the fund to the department of management for
29 purposes of making transportation equity aid payments under
30 this section.

31 b. If the balance of the fund exceeds the amount necessary
32 to make all transportation equity aid payments under
33 subsection 2, moneys remaining in the fund shall be used for
34 transportation base funding payments under subsection 4.

35 c. If the balance of the fund exceeds the amount necessary

PAGE 5

1 to make all transportation equity aid payments and all
2 transportation base funding payments, moneys remaining in the
3 fund at the end of a fiscal year, notwithstanding section 8.33,
4 shall remain in the fund and shall be available for expenditure
5 for the purposes of this section in subsequent fiscal years.

6 4. For budget years beginning on or after July 1, 2018, if
7 funding is available as provided in subsection 3, paragraph
8 "b", each school district in the state shall receive a
9 transportation base funding payment in an amount equal to
10 the school district's enrollment used under subsection 2,
11 paragraph "d", multiplied by the lesser of the statewide
12 average transportation cost per pupil or the school district's
13 transportation cost per pupil for the budget year. If an
14 amount appropriated for a budget year is insufficient to pay
15 all transportation base funding payments, the department of
16 management shall prorate such payment amounts.

17 5.a. The sum of the transportation equity aid payment
18 and the transportation base funding payment paid to a school
19 district for a budget year shall not exceed the school
20 district's actual transportation cost used to calculate
21 the school district's transportation cost per pupil under
22 subsection 2, paragraph "d", for the budget year.

23 b. Transportation equity aid payments and transportation
24 base funding payments shall be paid at the same time and in the
25 same manner as foundation aid is paid under section 257.16,
26 and may be included in the monthly payment of state aid under
27 section 257.16, subsection 2.

28 6. Transportation equity aid payments and transportation
29 base funding payments received under this section are
30 miscellaneous income and shall be deposited in the general fund
31 of the school district. However, the transportation equity aid
32 amount and the transportation base funding amount shall not be
33 included in district cost. Transportation equity aid under

34 this section shall not affect the receipt or amount of a budget
35 adjustment received under section 257.14 or transportation

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1 assistance aid under section 257.31, subsection 17.
2 Sec. 8.TRANSPORTATION EQUITY FUND — APPROPRIATION. There
3 is appropriated from the general fund of the state to the
4 department of management for the fiscal year beginning July
5 1, 2018, and ending June 30, 2019, the following amount, or
6 so much thereof as is necessary, to be used for the purposes
7 designated:
8 For deposit in the transportation equity fund created
9 pursuant to section 257.16C, subsection 3:
10 \$ 11,200,000
11 Sec. 9.EFFECTIVE DATE. This division of this Act, being
12 deemed of immediate importance, takes effect upon enactment.>
13 2. Title page, by striking lines 1 through 7 and inserting
14 <An Act relating to school district funding by modifying and
15 establishing provisions relating to state school foundation
16 program and school district transportation costs, making
17 appropriations, and including effective date provisions.>

COMMITTEE ON APPROPRIATIONS

H-8011

1 Amend House File 2348 as follows:
2 1. Page 39, line 26, by striking <Iowa cancer center> and
3 inserting <university of Iowa Holden comprehensive cancer
4 center>
5 2. By striking page 63, line 32, through page 66, line 25.
6 3. By renumbering as necessary.

COMMITTEE ON JUDICIARY

H-8012

1 Amend Senate File 2117, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:
5 <DIVISION I
6 APPROPRIATION REDUCTIONS
7 Section 1.EXECUTIVE BRANCH APPROPRIATION REDUCTIONS.
8 1. For the period beginning on the effective date of this
9 section and ending on June 30, 2018, the following departments
10 and agencies and the judicial branch are subject to a reduction
11 in expenditures made from appropriations from the general fund
12 in the following amounts:
13 a. Department of administrative services
14 \$ 62,560

15	b. Auditor of state	
16	.....	\$ 8,062
17	c. Department of commerce	
18	.....	\$ 12,433
19	d. Executive council	
20	.....	\$ 777
21	e. Governor's office	
22	.....	\$ 20,888
23	f. Governor's office of drug control policy	
24	.....	\$ 2,058
25	g. Department of human rights	
26	.....	\$ 21,228
27	h. Department of inspections and appeals	
28	.....	\$ 102,374
29	In identifying and implementing the reduction pursuant	
30	to this paragraph, the director of the department shall be	
31	authorized to make allocations between department divisions	
32	in the manner and to the extent as the director determines	
33	appropriate, in consultation with the department of management.	
34	i. State public defender	
35	\$ 236,041

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1	j. Department of management	
2	\$ 22,629
3	k. Department of revenue	
4	\$ 528,271
5	l. Secretary of state	
6	.....	\$ 31,525
7	m. Treasurer of state	
8	.....	\$ 9,256
9	n. Department of agriculture and land stewardship	
10	.....	\$ 188,688
11	o. Department of natural resources	
12	.....	\$ 123,373
13	p. Department of economic development	
14	.....	\$ 157,960
15	q. Iowa workforce development	
16	.....	\$ 166,960
17	r. Department for the blind	
18	.....	\$ 19,720
19	s. College aid commission	
20	.....	\$ 94,172
21	t. Department of education	
22	.....	\$ 784,830
23	In identifying and implementing the reduction pursuant to	
24	this paragraph, the department shall not reduce the standing	
25	appropriation under section 285.2, subsection 1, paragraph "b",	
26	for purposes of nonpublic school transportation.	
27	u. Community colleges	
28	.....	\$ 500,000

29	v. Vocational rehabilitation	
30	.....	\$ 54,472
31	w. Iowa public television	
32	.....	\$ 68,421
33	x. Board of regents	
34	\$ 8,133,070
35	In identifying and implementing the reduction pursuant to	

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1	this paragraph, the board shall not reduce expenditures made	
2	from appropriations for the university of northern Iowa, the	
3	state school for the deaf, and the Iowa braille and sight	
4	saving school.	
5	y. Department on aging	
6	.....	\$ 110,012
7	z. Department of public health	
8	.....	\$ 662,871
9	aa. Department of human services	
10	.....	\$ 4,316,042
11	In identifying and implementing the reduction pursuant	
12	to this paragraph, the department shall not reduce benefits	
13	available under the Medicaid state plan and approved waivers.	
14	ab. Department of veterans affairs	
15	.....	\$ 36,877
16	ac. Iowa veterans home	
17	.....	\$ 65,164
18	ad. Department of Justice	
19	.....	\$ 378,471
20	In identifying and implementing the reduction pursuant to	
21	this paragraph, the department shall not reduce expenditures	
22	made from appropriations for victim assistance grants.	
23	ae. Iowa civil rights commission	
24	.....	\$ 10,431
25	af. Department of corrections	
26	.....	\$ 3,405,688
27	ag. Law enforcement academy	
28	.....	\$ 8,607
29	ah. Department of public defense	
30	.....	\$ 59,193
31	ai. Department of homeland security and emergency	
32	management	
33	\$ 19,130
34	aj. Department of public safety	
35	\$ 200,000

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1	The department shall not apply any reduction to expenditures	
2	made from appropriations to the division of the state patrol.	
3	ak. Judicial branch	
4	.....	\$ 1,611,815

5 2. The department of management, in consultation with
6 the departments and agencies and the judicial branch listed
7 in subsection 1, shall identify and implement the reductions
8 in subsection 1 with respect to the appropriate general fund
9 appropriations. Within fifteen days of the effective date of
10 this section, the department of management shall transmit a
11 report to the general assembly and legislative services agency
12 listing the appropriation reductions applied.

13 3. In order to implement the reductions in subsection 1,
14 the departments and agencies and the judicial branch may adjust
15 allocations made from appropriations that are being reduced.

16 4. In order to implement the reductions in subsection 1, the
17 department of management may reduce a standing appropriation to
18 a department or agency required to reduce expenditures pursuant
19 to subsection 1.

20 Sec. 2.TRANSFER — IOWA SKILLED WORKER AND JOB CREATION
21 FUND. There is transferred from the Iowa skilled worker and
22 job creation fund created in section 8.75 to the general fund
23 of the state for the fiscal year beginning July 1, 2017, and
24 ending June 30, 2018, the following amount:

25 \$ 10,000,000

26 Sec. 3.SUPPLEMENTAL REIMBURSEMENT FOR GROUND EMERGENCY
27 MEDICAL TRANSPORTATION PROVIDED TO MEDICAID BENEFICIARIES. The
28 department of human services shall submit a Medicaid state
29 plan amendment to the centers for Medicare and Medicaid
30 services of the United States department of health and human
31 services to request authorization to establish and administer a
32 methodology to provide supplemental reimbursement to eligible
33 ground emergency medical transportation providers that provide
34 ground emergency medical transportation services to Medicaid
35 beneficiaries. For purposes of this section, “eligible ground

PAGE 5

1 emergency medical transportation provider” means a provider who
2 provides ground emergency medical transportation services to
3 Medicaid beneficiaries and is enrolled as a Medicaid provider
4 during the period being claimed.

5 Sec. 4. 2017 Iowa Acts, chapter 169, section 17, subsection
6 1, paragraph a, subparagraph (1), is amended to read as
7 follows:

8 (1) For the purposes of providing assistance under the high
9 quality jobs program as described in section 15.335B:

10 \$ 15,900,000
11 5,900,000

12 Sec. 5. 2017 Iowa Acts, chapter 170, section 5, subsection
13 1, is amended to read as follows:

14 1. The appropriations made pursuant to section 2.12 for the
15 expenses of the general assembly and legislative agencies for
16 the fiscal year beginning July 1, 2017, and ending June 30,
17 2018, are reduced by the following amount:

18 \$ 400,000

687,318

19
20 Sec. 6. 2017 Iowa Acts, chapter 174, section 31, subsection
21 1, paragraph c, subparagraph (3), is amended to read as
22 follows:

23 (3)(a) For the fiscal year beginning July 1, 2017, the
24 graduate medical education and disproportionate share hospital
25 fund shall remain at the amount in effect on June 30, 2017,
26 ~~except that the portion of the fund attributable to graduate~~
27 ~~medical education shall be reduced in an amount that reflects~~
28 ~~the elimination of graduate medical education payments made to~~
29 ~~out-of-state hospitals.~~

30 (b) Effective May 1, 2018, a hospital that is located in
31 Iowa, is classified as state government-owned or nonstate
32 government-owned, and qualifies for graduate medical education
33 or disproportionate share hospital payments shall transfer
34 to the medical assistance program an amount equal to provide
35 the nonfederal share for a graduate medical education and

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1 disproportionate share hospital payment. Distribution of the
2 payments shall be made on a monthly basis. A hospital that
3 meets the specified conditions shall receive and retain one
4 hundred percent of the total graduate medical education and
5 disproportionate share hospital payments.

6 Sec. 7.REPEAL. 2017 Iowa Acts, chapter 170, section 18,
7 is repealed.

8 DIVISION II
9 SUPPLEMENTAL APPROPRIATIONS

10 Sec. 8.INDIGENT DEFENSE. There is appropriated from the
11 general fund of the state to the office of the state public
12 defender of the department of inspections and appeals for the
13 fiscal year beginning July 1, 2017, and ending June 30, 2018,
14 the following amount, or so much thereof as is necessary to
15 supplement appropriations made for the following designated
16 purpose:

17 For payments on behalf of eligible adults and juveniles from
18 the indigent defense fund in accordance with section 815.11:
19 \$ 1,700,000

20 Sec. 9.UTILITY COSTS. There is appropriated from the
21 general fund of the state to the department of administrative
22 services for the fiscal year beginning July 1, 2017, and ending
23 June 30, 2018, the following amount, or so much thereof as is
24 necessary to supplement appropriations made for the following
25 designated purpose:

26 For payment of utility costs:
27 \$ 451,871

28 Sec. 10. 2017 Iowa Acts, chapter 174, section 36, is amended
29 to read as follows:

30 SEC. 36.PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
31 appropriated from the pharmaceutical settlement account created

32 in section 249A.33 to the department of human services for the
33 fiscal year beginning July 1, 2017, and ending June 30, 2018,
34 the following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

PAGE 7

1 Notwithstanding any provision of law to the contrary, to
2 supplement the appropriations made in this Act for medical
3 contracts under the medical assistance program for the fiscal
4 year beginning July 1, 2017, and ending June 30, 2018:
5 \$ 800,000
6 864,257

7 DIVISION III
8 IOWA ECONOMIC EMERGENCY FUND

9 Sec. 11. Section 8.55, subsection 3, paragraph c, Code 2018,
10 is amended by striking the paragraph and inserting in lieu
11 thereof the following:

12 c. There is appropriated from the Iowa economic emergency
13 fund to the general fund of the state for the fiscal year in
14 which moneys in the fund were used for cash flow purposes,
15 for the purposes of reducing or preventing any overdraft on
16 or deficit in the general fund of the state, the amount from
17 the Iowa economic emergency fund that was used for cash flow
18 purposes pursuant to paragraph "b" and that was not returned
19 to the Iowa economic emergency fund by June 30 of the fiscal
20 year. The appropriation in this paragraph shall not exceed one
21 percent of the adjusted revenue estimate for the fiscal year
22 for which the appropriation is made and is contingent upon all
23 of the following having occurred:

24 (1) Prior to an appropriation being made pursuant to this
25 paragraph, the balance of the general fund of the state at the
26 end of the fiscal year for which the appropriation is made is
27 negative.

28 (2) The governor issues an official proclamation and
29 notifies the legislative fiscal committee and the legislative
30 services agency that the balance of the general fund is
31 negative and that an appropriation made pursuant to this
32 paragraph brings the general fund of the state into balance.

33 Sec. 12. APPROPRIATION IN LIEU OF STANDING APPROPRIATION.

34 1. There is appropriated from the Iowa economic emergency
35 fund created in section 8.55 to the general fund of the state

PAGE 8

1 for the fiscal year beginning July 1, 2017, and ending June 30,
2 2018, the following amount:

3 \$ 13,000,000

4 2. The appropriation made pursuant to this section is in
5 lieu of the standing appropriation implemented under section
6 8.55 by the department of management pursuant to the official
7 proclamation issued by the governor on September 28, 2017.

8 Sec. 13.RETROACTIVE APPLICABILITY. The following
 9 provision or provisions of this division of this Act apply
 10 retroactively to September 28, 2017:

11 The section of this division of this Act appropriating
 12 moneys from the Iowa economic emergency fund to the general
 13 fund in lieu of a prior standing appropriation.

14 DIVISION IV

15 MEDICAID

16 Sec. 14. 2017 Iowa Acts, chapter 174, section 12, subsection
 17 15, paragraph a, subparagraph (7), is amended to read as
 18 follows:

19 (7) Elimination of the three-month retroactive Medicaid
 20 coverage benefit for Medicaid applicants effective October 1,
 21 2017, with the exception of otherwise eligible individuals who
 22 are residents of nursing facilities licensed under chapter
 23 135C. The department shall seek a waiver from the centers for
 24 Medicare and Medicaid services of the United States department
 25 of health and human services to implement the strategy.
 26 If federal approval is received, an applicant's Medicaid
 27 coverage shall be effective on the first day of the month of
 28 application, as allowed under the Medicaid state plan.

29 Sec. 15. 2017 Iowa Acts, chapter 174, section 12, subsection
 30 15, paragraph c, is amended to read as follows:

31 c. The department may adopt emergency rules, in
 32 consultation with affected provider groups, to implement this
 33 subsection.

34 Sec. 16.MEDICAID STATE PLAN AMENDMENT. Upon enactment
 35 of the section of this division of this Act relating to

PAGE 9

1 the three-month retroactive Medicaid coverage benefit, the
 2 department of human services shall request an amendment to the
 3 Medicaid state plan from the centers for Medicare and Medicaid
 4 services of the United States department of health and human
 5 services to implement the provision.

6 DIVISION V

7 EFFECTIVE DATE

8 Sec. 17.EFFECTIVE DATE. This Act, being deemed of
 9 immediate importance, takes effect upon enactment.>

COMMITTEE ON APPROPRIATIONS

H-8013

1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:

3 1. Page 1, after line 4 by inserting:

4 <DIVISION ____

5 SEXUAL ASSAULT AWARENESS TRAINING

6 Sec. ____ Section 232.69, subsection 3, paragraph d,
 7 subparagraph (3), Code 2018, is amended to read as follows:

- 8 (3) A training program using such an approved curriculum
9 offered by the department of human services, the department of
10 education, an area education agency, a school district, the
11 Iowa law enforcement academy, or a similar public agency. In
12 developing an approved curriculum for purposes of this section,
13 the department of education, area education agencies, and
14 school districts shall consult with the Iowa coalition against
15 sexual assault or a similar organization to include appropriate
16 sexual assault awareness training in the approved curriculum.>
17 2. By renumbering as necessary.

MASCHER of Johnson

H-8014

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
2 passed, and reprinted by the Senate, as follows:
3 1. Page 1, after line 6 by inserting:
4 <Section 1. Section 11.6, subsection 1, paragraph a,
5 subparagraph (1), Code 2018, is amended to read as follows:
6 (1) Except for entities organized under chapter 28E having
7 gross receipts of one hundred thousand dollars or less in a
8 fiscal year, the financial condition and transactions of all
9 government subdivisions shall be audited annually, except
10 that cities having a population of less than two thousand
11 and budgeted gross expenditures of one million dollars or
12 more in a fiscal year shall be subject to a required fiscal
13 year examination for that fiscal year according to procedures
14 established by the office of auditor of state, and cities
15 having a population of less than two thousand and budgeted
16 gross expenditures of less than one million dollars in a fiscal
17 year shall be subject to periodic examination by the auditor
18 of state according to procedures established by the auditor
19 of state, and may be examined as otherwise provided in this
20 section. However, a city having a population of less than two
21 thousand and budgeted gross expenditures of one million dollars
22 or more in a fiscal year shall not be subject to a required
23 fiscal year examination until the city has two consecutive
24 years of budgeted gross expenditures of one million dollars
25 or more in both fiscal years, and such examination shall be
26 conducted during the second of such fiscal years. A city
27 meeting the requirements for a periodic examination shall be
28 subject to an examination under this section at least once
29 during an eight-year period at a time determined by the auditor
30 of state. The audit of school districts shall include an audit
31 of all school funds including categorical funding provided by
32 the state, the certified annual financial report, the certified
33 enrollment as provided in section 257.6, supplementary
34 weighting as provided in section 257.11, the revenues and
35 expenditures of any nonprofit school organization established

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1 pursuant to section 279.62, and entrepreneurial education
 2 funds established pursuant to section 298A.15. Differences in
 3 certified enrollment shall be reported to the department of
 4 management. The audit of school districts shall include at a
 5 minimum a determination that the laws of the state are being
 6 followed, that categorical funding is not used to supplant
 7 other funding except as otherwise provided, that supplementary
 8 weighting is pursuant to an eligible sharing condition, and
 9 that postsecondary courses provided in accordance with section
 10 257.11 and chapter 261E supplement, rather than supplant,
 11 school district courses. If a school district enters into
 12 a contract with a private provider to provide educational
 13 courses or curriculum developed by the private provider and
 14 delivered primarily over the internet, the private provider
 15 shall be subject to the same audit requirements under this
 16 section as the school district and the audit of the private
 17 provider shall include but not be limited to analysis of how
 18 school district money received by the private provider during
 19 the school calendar were expended on administrative costs,
 20 advertising costs, practitioner salaries, and nonpersonnel
 21 education-related costs. The audit of a city that owns or
 22 operates a municipal utility providing local exchange services
 23 pursuant to chapter 476 shall include performing tests of
 24 the city's compliance with section 388.10. The audit of a
 25 city that owns or operates a municipal utility providing
 26 telecommunications services pursuant to section 388.10 shall
 27 include performing tests of the city's compliance with section
 28 388.10.>
 29 2. By renumbering as necessary.

MASCHER of Johnson

H-8015

1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 6 by inserting:
 4 <Section 1. Section 11.6, subsection 1, paragraph a,
 5 subparagraph (2), Code 2018, is amended to read as follows:
 6 (2) Subject to the exceptions and requirements of
 7 subsections 2 and 3, and subsection 4, paragraph "a",
 8 subparagraph (3), audits or required fiscal year examinations
 9 shall be made as determined by the governmental subdivision
 10 either by the auditor of state or by certified public
 11 accountants, certified in the state of Iowa, and they shall
 12 be paid from the proper public funds of the governmental
 13 subdivision. However, a periodic examination of a city shall
 14 be conducted by the auditor of state or by a certified public
 15 accountant employed by the auditor of state pursuant to section
 16 11.32, and shall be paid from examination fees collected

- 17 pursuant to subsection 11. Notwithstanding this subparagraph,
 18 the audit of the CAM community school district and the Clayton
 19 Ridge community school district conducted in accordance with
 20 subparagraph (1) shall be made by the auditor of state, shall
 21 detail how many days of the school calendar each enrolled
 22 student completes, and shall be paid for from the proper public
 23 funds of the school districts.>
 24 2. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8016

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 7, through page 7, line 25, and
 4 inserting:
 5 <Section 1. Section 256.42, subsections 1, 5, and 8, Code
 6 2018, are amended to read as follows:
 7 1. An Iowa learning online initiative is established
 8 within the department to partner with school districts and
 9 accredited nonpublic schools to provide distance education
 10 to high school students statewide. The initiative may also
 11 provide distance education to a student receiving independent
 12 private instruction as defined in section 299A.1, subsection
 13 1, paragraph "b", competent private instruction under section
 14 299A.2, or private instruction by a nonlicensed person under
 15 section 299A.3 if the initiative has the capacity. The
 16 department shall utilize a variety of content repositories,
 17 including those maintained by the area education agencies
 18 and the public broadcasting division, in administering the
 19 initiative.
 20 5. Under the initiative, ~~students~~ a student must be
 21 enrolled in a participating school district or accredited
 22 nonpublic school, ~~which~~ or be receiving private instruction
 23 under chapter 299A as described in subsection 1. For a student
 24 enrolled in a participating school district or accredited
 25 nonpublic school, the school district or school is responsible
 26 for recording grades received for initiative coursework in a
 27 student's permanent record, awarding high school credit for
 28 initiative coursework, and issuing high school diplomas to
 29 ~~students~~ a student enrolled in the district or school who
 30 ~~participate~~ participates and ~~complete~~ completes coursework
 31 under the initiative. Each participating school shall identify
 32 a site coordinator to serve as a student advocate and as a
 33 liaison between the initiative staff and teachers and the
 34 school district or accredited nonpublic school. The individual
 35 providing instruction to a student under chapter 299A as

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- 1 described in subsection 1 shall receive the student's score

2 for completed initiative coursework. A student receiving
 3 private instruction under chapter 299A as described in
 4 subsection 1, who completes coursework under the initiative,
 5 shall be evaluated by the school district of residence using
 6 an assessment approved by the department of education for the
 7 subject area in which the student completed coursework.
 8 8. The department shall establish fees payable by school
 9 districts, ~~and accredited nonpublic schools participating~~
 10 ~~in, and individuals providing instruction to students under~~
 11 chapter 299A as described in subsection 1, for coursework
 12 offered under the initiative. Fees collected pursuant to
 13 this subsection are appropriated to the department to be
 14 used only for the purpose of administering this section and
 15 ~~shall be established so as not to exceed the budgeted cost of~~
 16 ~~administering this section to the extent not covered by the~~
 17 ~~moneys appropriated in subsection 9. Providing professional~~
 18 ~~development necessary to prepare teachers to participate in the~~
 19 ~~initiative shall be considered a cost of administering this~~
 20 ~~section. Notwithstanding section 8.33, fees collected by the~~
 21 ~~department that remain unencumbered or unobligated at the close~~
 22 ~~of the fiscal year shall not revert but shall remain available~~
 23 ~~for expenditure for the purpose of expanding coursework offered~~
 24 ~~under the initiative in subsequent fiscal years.~~
 25 Sec. 2. Section 256.42, subsection 9, Code 2018, is amended
 26 by striking the subsection.
 27 Sec. 3.ONLINE LEARNING WORKING GROUP. The department
 28 of education shall convene a working group of education
 29 stakeholders to study online learning and programming for
 30 school districts and accredited nonpublic schools and related
 31 educational, assessment, and funding issues. The working
 32 group shall review the appropriate use of online learning by
 33 school districts and accredited nonpublic schools, partnerships
 34 between school districts and accredited nonpublic schools
 35 and private providers of online programs, and the potential

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1 use of online learning as the exclusive means to provide
 2 coursework required under the state's educational standards.
 3 In particular, the working group shall study the effect of
 4 online learning on student assessment and achievement results
 5 and shall identify and develop measures to reduce the student
 6 dropout rate and improve rate-of-retention and achievement
 7 results at virtual schools. The working group shall submit
 8 its findings and recommendations in a report to the general
 9 assembly by January 1, 2019.>
 10 2. By renumbering as necessary.

R. SMITH of Black Hawk
 MASCHER of Johnson

H-8017

1 Amend the amendment, H-8001, to Senate File 475, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 2, line 10, after <applicable,> by inserting <The
4 rules shall prohibit a school district or accredited nonpublic
5 school, on or after July 1, 2018, from providing educational
6 instruction and course content delivered primarily over
7 the internet to a student unless the student is enrolled at
8 the secondary level, is an English language learner, or is
9 physically or emotionally fragile.>

STECKMAN of Cerro Gordo

H-8018

1 Amend the amendment, H-8001, to Senate File 475, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 7, after line 25 by inserting:
4 <Sec. ____ Section 256.43, Code 2018, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 5. Prohibited activities. A rebate for
7 tuition or fees paid or any other dividend or bonus moneys for
8 enrollment of a child shall not be offered or provided directly
9 or indirectly by a school district, school, or private provider
10 to the parent or guardian of a pupil who enrolls in a school
11 district or school to receive educational instruction and
12 course content delivered primarily over the internet.>
13 2. By renumbering as necessary.

MASCHER of Johnson

H-8019

1 Amend the amendment, H-8001, to Senate File 475, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 7, line 25, after <282.18.> by inserting <However,
4 if a student's participation in open enrollment to receive
5 educational instruction and course content delivered primarily
6 over the internet results in the termination of enrollment
7 in the receiving district, the receiving district shall,
8 within thirty days of the termination, notify the district of
9 residence of the termination and the date of the termination.>

WINCKLER of Scott

H-8020

1 Amend the amendment, H-8001, to Senate File 475, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 7, through page 7, line 25, and
4 inserting:

5 <Section 1.FUTURE CONTINGENT REPEAL, CODE EDITOR

6 NOTIFICATION, AND CODE EDITOR DIRECTIVE.

- 7 1. Section 256.7, subsection 32, paragraph “c”, is
 8 repealed on July 1, 2019, if the department of education’s
 9 virtual schools in Iowa annual report issued during the 2019
 10 legislative session does not document a ten percent improvement
 11 in both retention rates and achievement data, percent
 12 proficient based on the Iowa assessments, including alternate
 13 assessment scores in reading, math, and science for both the
 14 Iowa connections academy at CAM community school district
 15 and the Iowa virtual academy at Clayton ridge community
 16 school district, over the previous school year’s scores. The
 17 department of education shall notify the Iowa Code editor if
 18 the ten percent improvement level is not achieved.
 19 2. If the department of education informs the Iowa
 20 Code editor that the ten percent improvement level was not
 21 achieved as required under subsection 1, the Iowa Code editor
 22 is directed to execute the repeal of Code section 256.7,
 23 subsection 32, paragraph “c” from the Code of Iowa and to make
 24 conforming changes, as appropriate, to the Code of Iowa to
 25 reflect the provisions of this division of this Act, including
 26 but not limited to striking the words “Except as provided in
 27 paragraph “c,” from section 256.7, subsection 32, paragraph
 28 “b”.>
 29 2. By renumbering as necessary.

MASCHER of Johnson

H-8021

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 5, line 15, after <conferences> by inserting <in
 4 person>

BRECKENRIDGE of Jasper

H-8022

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 7, line 6, after <subsection> by inserting <and
 4 inserting in lieu thereof the following:
 5 9. Courses provided by the initiative, or by a school
 6 district or accredited nonpublic school in accordance with this
 7 section, are not to be used by a participating school district
 8 or accredited nonpublic school as a long-term substitute for
 9 any course required to be offered and taught under section
 10 256.11>
 11 2. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8023

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 5, through page 7, line 25.
- 4 2. By renumbering as necessary.

MASCHER of Johnson

H-8024

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. By striking page 7, line 26, through page 8, line 15.
- 4 2. By renumbering as necessary.

WINCKLER of Scott

H-8025

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. Page 8, by striking lines 26 through 32 and inserting
- 4 <public schools.>
- 5 2. Page 9, lines 13 and 14, by striking <uniform enforcement
- 6 framework, findings,> and inserting <findings>

R. SMITH of Black Hawk

H-8026

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. Page 9, after line 5 by inserting:
- 4 < ___. The Iowa speech-language-hearing association.>
- 5 2. By renumbering, redesignating, and correcting internal
- 6 references as necessary.

STAED of Linn

H-8027

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. Page 9, after line 5 by inserting:
- 4 < ___. The board of pharmacy created pursuant to chapter
- 5 147.>
- 6 2. By renumbering as necessary.

FORBES of Polk

H-8028

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 8, line 21, by striking <review> and inserting <do
 4 all of the following:
 5 a. Review>
 6 2. Page 8, after line 32 by inserting:
 7 < b. Review the child abuse identification and reporting
 8 training required under section 232.69 and the reporting
 9 requirements of section 232.70 to determine whether the
 10 training and reporting requirements are adequate with regard to
 11 identification and reporting of child abuse, dating violence,
 12 and human trafficking.>
 13 3. By renumbering as necessary.

WINCKLER of Scott

H-8029

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. By striking page 8, line 16, through page 9, line 15.
 4 2. Page 12, after line 24 by inserting:
 5 <__. Title page, lines 3 and 4, by striking <and to
 6 school-age children's health screenings,>>
 7 3. By renumbering as necessary.

NIELSEN of Johnson

H-8030

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 10, by striking lines 8 through 18 and inserting
 4 <11A, the district of residence may reduce by an amount equal
 5 to the average cost per pupil of providing the cocurricular
 6 or extracurricular activity in which the pupil participates
 7 from the amount calculated by the school district of residence
 8 under subparagraph (1). At the discretion of the pupil's
 9 parent or guardian, a pupil may participate in any cocurricular
 10 or extracurricular activity offered by the school district
 11 of residence for which the student qualifies. For purposes
 12 of this subparagraph (2), cocurricular or extracurricular
 13 activities include but are not limited to music, drama, speech,
 14 debate, student council, cheerleading, and interscholastic
 15 athletics. The school district of>

STAED of Linn

H-8031

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,

2 passed, and reprinted by the Senate, as follows:

- 3 1. Page 10, line 8, by striking <two> and inserting <five>
 4 2. Page 10, line 13, by striking <two hundred> and inserting
 5 <five hundred>
 6 3. Page 10, line 16, by striking <five thousand> and
 7 inserting <two thousand five hundred>

BROWN-POWERS of Black Hawk

H-8032

1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:

3 1. Page 12, after line 24 by inserting:

4 <DIVISION ____

5 SECURE AN ADVANCED VISION FOR EDUCATION — EXTENSION

6 Sec. ____ Section 423.2, subsection 11, paragraph b,
 7 subparagraph (3), Code 2018, is amended to read as follows:

8 (3) Transfer one-sixth of the remaining revenues to the
 9 secure an advanced vision for education fund created in section
 10 423F.2. This subparagraph (3) is repealed ~~December 31, 2029~~
 11 January 1, 2040.

12 Sec. ____ Section 423.2, subsection 14, Code 2018, is
 13 amended to read as follows:

14 14. The sales tax rate of six percent is reduced to five
 15 percent on January 1, ~~2030~~ 2040.

16 Sec. ____ Section 423.5, subsection 5, Code 2018, is amended
 17 to read as follows:

18 5. The use tax rate of six percent is reduced to five
 19 percent on January 1, ~~2030~~ 2040.

20 Sec. ____ Section 423.43, subsection 1, paragraph b, Code
 21 2018, is amended to read as follows:

22 b. Subsequent to the deposit into the general fund of
 23 the state and after the transfer of such revenues collected
 24 under chapter 423B, the department shall transfer one-sixth of
 25 such remaining revenues to the secure an advanced vision for
 26 education fund created in section 423F.2. This paragraph is
 27 repealed ~~December 31, 2029~~ January 1, 2040.

28 Sec. ____ Section 423F.4, Code 2018, is amended to read as
 29 follows:

30 **423F.4 Borrowing authority for school districts.**

31 A school district may anticipate its share of the revenues
 32 under section 423F.2 by issuing bonds in the manner provided in
 33 section 423E.5, ~~Code 2018~~. However, to the extent any school
 34 district has issued bonds anticipating the proceeds of an
 35 extended local sales and services tax for school infrastructure

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1 purposes imposed by a county pursuant to former chapter 423E,
 2 Code and Code Supplement 2007, prior to July 1, 2008, the
 3 pledge of such revenues for the payment of principal and

4 interest on such bonds shall be replaced by a pledge of its
 5 share of the revenues under section 423F.2.
 6 Sec. ____ Section 423F.6, Code 2018, is amended to read as
 7 follows:

8 **423F.6 Repeal.**

9 This chapter is repealed ~~December 31, 2029~~ January 1, 2040.>
 10 ____ Title page, line 3, after <schools,> by inserting
 11 <extending the period of time for collecting sales tax for
 12 deposit in the secure an advanced vision for education fund,>>
 13 2. By renumbering as necessary.

NIELSEN of Johnson

H-8033

1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 12, after line 24 by inserting:
 4 <DIVISION ____
 5 SECURE AN ADVANCED VISION FOR EDUCATION EXTENSION
 6 Sec. ____ Section 423.2, subsection 11, paragraph b,
 7 subparagraph (3), Code 2018, is amended to read as follows:
 8 (3) Transfer one-sixth of the remaining revenues to the
 9 secure an advanced vision for education fund created in section
 10 423F.2. This subparagraph (3) is repealed ~~December 31, 2029~~
 11 January 1, 2050.
 12 Sec. ____ Section 423.2, subsection 14, Code 2018, is
 13 amended to read as follows:
 14 14. The sales tax rate of six percent is reduced to five
 15 percent on January 1, ~~2030~~ 2050.
 16 Sec. ____ Section 423.5, subsection 5, Code 2018, is amended
 17 to read as follows:
 18 5. The use tax rate of six percent is reduced to five
 19 percent on January 1, ~~2030~~ 2050.
 20 Sec. ____ Section 423.43, subsection 1, paragraph b, Code
 21 2018, is amended to read as follows:
 22 b. Subsequent to the deposit into the general fund of
 23 the state and after the transfer of such revenues collected
 24 under chapter 423B, the department shall transfer one-sixth of
 25 such remaining revenues to the secure an advanced vision for
 26 education fund created in section 423F.2. This paragraph is
 27 repealed ~~December 31, 2029~~ January 1, 2050.
 28 Sec. ____ Section 423F.4, Code 2018, is amended to read as
 29 follows:
 30 **423F.4 Borrowing authority for school districts.**
 31 A school district may anticipate its share of the revenues
 32 under section 423F.2 by issuing bonds in the manner provided in
 33 section 423E.5, Code 2018. However, to the extent any school
 34 district has issued bonds anticipating the proceeds of an
 35 extended local sales and services tax for school infrastructure

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1 purposes imposed by a county pursuant to former chapter 423E,
 2 Code and Code Supplement 2007, prior to July 1, 2008, the
 3 pledge of such revenues for the payment of principal and
 4 interest on such bonds shall be replaced by a pledge of its
 5 share of the revenues under section 423F.2.

6 Sec. ____ Section 423F.6, Code 2018, is amended to read as
 7 follows:

8 **423F.6 Repeal.**

9 This chapter is repealed ~~December 31, 2029~~ January 1, 2050.>
 10 ____ Title page, line 3, after <schools,> by inserting
 11 <extending the period of time for collecting sales tax for
 12 deposit in the secure an advanced vision for education fund,>>
 13 2. By renumbering as necessary.

NIELSEN of Johnson

H-8034

1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:

3 1. Page 12, after line 24 by inserting:

4 <DIVISION ____

5 SECURE AN ADVANCED VISION FOR EDUCATION — REPEAL REPEALED

6 Sec. ____ Section 423.2, subsection 11, paragraph b,
 7 subparagraph (3), Code 2018, is amended to read as follows:

8 (3) Transfer one-sixth of the remaining revenues to the
 9 secure an advanced vision for education fund created in section
 10 423F.2. ~~This subparagraph (3) is repealed December 31, 2029.~~

11 Sec. ____ Section 423.2, subsection 14, Code 2018, is
 12 amended by striking the subsection.

13 Sec. ____ Section 423.5, subsection 5, Code 2018, is amended
 14 by striking the subsection.

15 Sec. ____ Section 423.43, subsection 1, paragraph b, Code
 16 2018, is amended to read as follows:

17 b. Subsequent to the deposit into the general fund of
 18 the state and after the transfer of such revenues collected
 19 under chapter 423B, the department shall transfer one-sixth of
 20 such remaining revenues to the secure an advanced vision for
 21 education fund created in section 423F.2. ~~This paragraph is
 22 repealed December 31, 2029.~~

23 Sec. ____ Section 423F.4, Code 2018, is amended to read as
 24 follows:

25 **423F.4 Borrowing authority for school districts.**

26 A school district may anticipate its share of the revenues
 27 under section 423F.2 by issuing bonds in the manner provided in
 28 section 423E.5, Code 2018. However, to the extent any school
 29 district has issued bonds anticipating the proceeds of an
 30 extended local sales and services tax for school infrastructure
 31 purposes imposed by a county pursuant to former chapter 423E,
 32 Code and Code Supplement 2007, prior to July 1, 2008, the

33 pledge of such revenues for the payment of principal and
34 interest on such bonds shall be replaced by a pledge of its
35 share of the revenues under section 423F.2.

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- 1 Sec. ___.REPEAL. Section 423F.6, Code 2018, is repealed.>
- 2 ___. Title page, line 3, after <schools,> by inserting
- 3 <striking certain statutory repeal provisions relating to the
- 4 state sales and use tax and the secure an advanced vision for
- 5 education fund,>>
- 6 2. By renumbering as necessary.

NIELSEN of Johnson

H-8035

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. Page 12, after line 24 by inserting:
- 4 <DIVISION __
- 5 TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
- 6 Sec. __. 2017 Iowa Acts, chapter 172, section 2, subsection
- 7 4, is amended to read as follows:
- 8 4. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
- 9 a. For the teacher shortage loan forgiveness program
- 10 established in section 261.112:
- 11 \$ 200,000
- 12 ~~b. The commission shall not provide loan forgiveness~~
- 13 ~~under the program to any new applicant, but may renew loan~~
- 14 ~~forgiveness for an applicant who continues to meet the~~
- 15 ~~eligibility requirements of section 261.112.~~
- 16 Sec. __. 2017 Iowa Acts, chapter 172, section 46,
- 17 subsection 4, is amended to read as follows:
- 18 4. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
- 19 a. For the teacher shortage loan forgiveness program
- 20 established in section 261.112:
- 21 \$ 100,000
- 22 ~~b. For the fiscal year beginning July 1, 2018, and~~
- 23 ~~ending June 30, 2019, the commission shall not provide loan~~
- 24 ~~forgiveness under the program to any new applicant, but may~~
- 25 ~~renew loan forgiveness for an applicant who continues to meet~~
- 26 ~~the eligibility requirements of section 261.112.>~~
- 27 ___. Title page, line 2, after <education,> by inserting
- 28 <the college student aid commission,>>
- 29 2. By renumbering as necessary.

WINCKLER of Scott

H-8036

- 1 Amend House File 2252 as follows:

2 1. Page 2, line 12, after <precinct> by inserting <or by
3 presenting to the appropriate official a voter identification
4 card issued pursuant to section 48A.10A for a precinct in Iowa
5 other than the precinct in which the person currently resides
6 and a document described in paragraph "b", subparagraph (2)>

WINCKLER of Scott

H-8037

1 Amend House File 2252 as follows:
2 1. Page 2, before line 25 by inserting:
3 <Sec. ___. Section 49.78, subsection 2, paragraph a, Code
4 2018, is amended by adding the following new subparagraph:
5 NEW SUBPARAGRAPH. (5) A voter identification card provided
6 pursuant to section 48A.10A.>
7 2. By renumbering as necessary.

WINCKLER of Scott

H-8038

1 Amend House File 2234 as follows:
2 1. By striking page 1, line 33, through page 2, line 8, and
3 inserting:
4 <Sec. ___. Section 628.3, Code 2018, is amended to read as
5 follows:
6 **628.3 Redemption by debtor.**
7 The debtor may redeem real property at any time within
8 one year from the day of sale, and will, in the meantime,
9 be entitled to the possession thereof; and for the first six
10 months thereafter such right of redemption is exclusive.
11 However, the time that a debtor has to redeem real property may
12 be reduced in direct proportion to any delay in the service
13 of a default notice or the filing of the forfeiture action
14 required by 12 C.F.R. §1024.41(f)(1)(i) provided that the total
15 time that the debtor has to redeem is not less than six months
16 from the day of sale, that the debtor will, in the meantime,
17 be entitled to the possession of the real property, and that
18 for the first six months after the day of sale such right of
19 redemption is exclusive. Any real property redeemed by the
20 debtor shall thereafter be free and clear from any liability
21 for any unpaid portion of the judgment under which said real
22 property was sold.>
23 2. By striking page 2, line 31, through page 3, line 11, and
24 inserting:
25 <Sec. ___. Section 628.26, Code 2018, is amended to read as
26 follows:
27 **628.26 Agreement to reduce period of redemption.**
28 1. The mortgagor and the mortgagee of real property
29 consisting of less than ten acres in size may agree and provide
30 in the mortgage instrument that the period of redemption after

31 sale on foreclosure of said mortgage as set forth in section
 32 628.3 be reduced to six months, provided the mortgagee waives
 33 in the foreclosure action any rights to a deficiency judgment
 34 against the mortgagor which might arise out of the foreclosure
 35 proceedings. In such event the debtor will, in the meantime,

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1 be entitled to the possession of said real property; and if
 2 such redemption period is so reduced, for the first three
 3 months after sale such right of redemption shall be exclusive
 4 to the debtor, and the time periods in sections 628.5, 628.15,
 5 and 628.16, shall be reduced to four months.
 6 2. Notwithstanding subsection 1, if there is a delay in the
 7 service of a default notice or the filing of the forfeiture
 8 action required by 12 C.F.R. §1024.41(f)(1)(i), the mortgagor
 9 and the mortgagee of real property consisting of less than ten
 10 acres in size may agree and provide in the mortgage instrument
 11 that the period of redemption after sale on foreclosure of said
 12 mortgage as set forth in section 628.3 be reduced in proportion
 13 to the delay caused by 12 C.F.R. §1024.41(f)(1)(i), provided
 14 that the total time the debtor has to redeem is not less than
 15 three months, and that the mortgagee waives in the foreclosure
 16 action any rights to a deficiency judgment against the
 17 mortgagor which might arise out of the foreclosure proceedings.
 18 In such event the debtor will, in the meantime, be entitled to
 19 the possession of said real property; and if such redemption
 20 period is so reduced, for the first month after sale such right
 21 of redemption shall be exclusive to the debtor, and the time
 22 periods in sections 628.5, 628.15, and 628.16, shall be reduced
 23 to two months.>

24 3. Page 3, by striking lines 12 through 35 and inserting:
 25 <Sec. __. Section 654.20, subsection 1, Code 2018, is
 26 amended to read as follows:

27 1.a. If the mortgaged property is not used for an
 28 agricultural purpose as defined in section 535.13 and there was
 29 not a delay in the service of a default notice or the filing of
 30 the forfeiture action required by 12 C.F.R. §1024.41(f)(1)(i),
 31 the plaintiff in an action to foreclose a real estate mortgage
 32 may include in the petition an election for foreclosure without
 33 redemption. The election is effective only if the first page
 34 of the petition contains the following notice in capital
 35 letters of the same type or print size as the rest of the

PAGE 3

1 petition:

2

NOTICE

3 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
 4 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
 5 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE COURT
 6 A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A WRITTEN

7 DEMAND, THE SALE WILL BE DELAYED UNTIL TWELVE MONTHS (or
 8 SIX MONTHS if the petition includes a waiver of deficiency
 9 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY
 10 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
 11 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED
 12 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT A
 13 ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT OF
 14 REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL BE
 15 ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY. YOU
 16 MAY PURCHASE AT THE SALE.

17 b. If the mortgaged property is not used for an agricultural
 18 purpose as defined in section 535.13 and there was a delay in
 19 the service of a default notice or the filing of the forfeiture
 20 action required by 12 C.F.R. §1024.41(f)(1)(i), the plaintiff
 21 in an action to foreclose a real estate mortgage may include in
 22 the petition an election for foreclosure without redemption.
 23 The election is effective only if the first page of the
 24 petition contains the following notice in capital letters of
 25 the same type or print size as the rest of the petition:

26 **NOTICE**

27 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
 28 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
 29 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE
 30 COURT A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A
 31 WRITTEN DEMAND, THE SALE WILL BE DELAYED UNTIL SIX MONTHS (or
 32 THREE MONTHS if the petition includes a waiver of deficiency
 33 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY
 34 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
 35 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED

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1 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT
 2 A ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT
 3 OF REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL
 4 BE ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY.
 5 YOU MAY PURCHASE AT THE SALE.>

6 4. Page 4, by striking lines 1 through 23 and inserting:
 7 <Sec. ____ Section 654.21, Code 2018, is amended to read as
 8 follows:

9 **654.21 Demand for delay of sale.**

10 1. At any time prior to entry of judgment, the mortgagor may
 11 file a demand for delay of sale. If the demand is filed, the
 12 sale shall be held promptly after the expiration of two months
 13 from entry of judgment.

14 2. However, if the demand is filed and the mortgaged
 15 property is the residence of the mortgagor and is a one-family
 16 or two-family dwelling, the sale shall be held promptly after
 17 the expiration of twelve months, or six months if the petition
 18 includes a waiver of deficiency judgment, from entry of
 19 judgment.

20 3. However, if there was a delay in the service of a default

21 notice or the filing of the forfeiture action required by
 22 12 C.F.R. §1024.41(f)(1)(i) and the demand is filed and the
 23 mortgaged property is the residence of the mortgagor and is
 24 a one-family or two-family dwelling, the sale shall be held
 25 promptly after the expiration of six months, or three months
 26 if the petition includes a waiver of deficiency judgment, from
 27 entry of judgment.

28 4. If the demand is filed, the mortgagor and mortgagee
 29 subsequently may file a stipulation that the sale may be held
 30 promptly after the stipulation is filed and that the mortgagee
 31 waives the right to entry of a deficiency judgment. If the
 32 stipulation is filed, the sale shall be held promptly after
 33 the filing. At any time prior to judgment, the mortgagor may
 34 pay the plaintiff the amount claimed in the petition and, if
 35 paid, the foreclosure action shall be dismissed. At any time

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1 after judgment and before the sale, the mortgagor may pay the
 2 plaintiff the amount of the judgment and, if paid, the judgment
 3 shall be satisfied of record and the sale shall not be held.>

McCONKEY of Pottawattamie

H-8039

1 Amend Senate File 449, as passed by the Senate, as follows:
 2 1. Page 1, after line 5 by inserting:
 3 <a. The street or highway is classified as area service "B"
 4 or area service "C" as described in section 309.57.>
 5 2. Page 1, line 6, by striking <a.> and inserting <b.>
 6 3. Page 1, line 9, by striking <b.> and inserting <c.>
 7 4. Page 1, line 10, by striking <that terminates in a dead
 8 end>
 9 5. Page 1, line 11, by striking <c.> and inserting <d.>
 10 6. Page 1, line 14, by striking <d.> and inserting <e.>
 11 7. Page 1, line 17, by striking <described in paragraph "a">
 12 and inserting <to which the street or highway exits>
 13 8. Page 1, line 19, after <installed> by inserting <on the
 14 street or highway>
 15 9. Page 1, lines 20 and 21, by striking <described in
 16 subsection 1> and inserting <to which the street or highway
 17 exits>
 18 10. Page 1, line 23, after <landowner> by inserting <and
 19 each successive landowner>
 20 11. Page 1, by striking lines 24 through 26 and inserting
 21 <or maintain a fence along the street or highway between the
 22 point at which the cattle guard is installed and the point at
 23 which the street or highway terminates in a dead end. All of>
 24 12. Page 1, line 31, by striking <"c"> and inserting <"c".>
 25 13. Page 2, after line 2 by inserting:
 26 <4.a. A landowner who installs a cattle guard pursuant to

27 this section and each successive landowner shall be liable for
 28 injury to any person, for damage to any vehicle or equipment,
 29 and for damage to the contents of any vehicle or equipment,
 30 which occurs proximately as a result of the construction,
 31 installation, or maintenance of the cattle guard or as a result
 32 of livestock straying on to the street or highway between the
 33 point at which the cattle guard is installed and the point at
 34 which the street or highway terminates in a dead end.
 35 b. Upon the installation of a cattle guard pursuant to

PAGE 2

1 this section, and before July 1 of each year thereafter, the
 2 landowner who installed the cattle guard or a successive
 3 landowner shall submit to the appropriate county office of
 4 the county having jurisdiction over the street or highway on
 5 which the cattle guard is installed, as designated by the
 6 county, proof of liability coverage in effect for the following
 7 one-year period which covers any injury or loss arising from
 8 the landowner's liability as set forth in paragraph "a".
 9 c. This section shall not be construed to alter, limit, or
 10 nullify the maintenance requirements assigned to a county, and
 11 a county's liability relating to such maintenance requirements,
 12 pursuant to section 309.57 for the street or highway on which
 13 the cattle guard is installed.>
 14 14. Page 2, line 3, by striking <4.> and inserting <5.>
 15 15. Page 2, after line 11 by inserting:
 16 <Sec. ___. Section 321.285, Code 2018, is amended by adding
 17 the following new subsection:
 18 **NEW SUBSECTION. 6A.** Notwithstanding any other speed
 19 restrictions, the speed limit for all vehicular traffic on a
 20 street or highway on which a cattle guard is installed pursuant
 21 to section 314.30 is fifteen miles per hour between the point
 22 at which the cattle guard is installed and the point at which
 23 the street or highway terminates in a dead end.>
 24 16. By renumbering as necessary.

COMMITTEE ON TRANSPORTATION

H-8040

1 Amend House File 2370 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1.**NEW SECTION. 91A.5B Treatment of adoptive**
 4 **parent employees.**
 5 1. For purposes of this section, "adoption" means the
 6 permanent placement for adoption in this state of a child
 7 by the department of human services, by an adoption service
 8 provider as defined in section 600A.2, or by an agency that
 9 meets the provisions of the interstate compact in section
 10 232.158.
 11 2. An employer shall treat an employee who adopts a child in

- 12 the same manner as an employee who is the biological parent of
 13 a newborn child for purposes of employment policies, benefits,
 14 and protections for the first year of the adoption.>
 15 2. Title page, line 1, after <to> by inserting <adoption
 16 including the treatment of adoptive parent employees and>
 17 3. By renumbering as necessary.

HUNTER of Polk

H-8041

- 1 Amend House File 2355 as follows:
 2 1. Page 2, after line 11 by inserting:
 3 <2. The department shall employ a physician to assist
 4 the department in operating the program under this chapter
 5 to include approving treatment plans and modified treatment
 6 plans under section 35E.4, and reviewing reports of the
 7 veteran's measured health improvements under the treatment plan
 8 and requests for reimbursement of expenses submitted by the
 9 treatment facility providing hyperbaric oxygen treatment under
 10 section 35E.5.>
 11 2. Page 2, line 12, by striking <2.> and inserting <3.>
 12 3. Page 2, line 14, by striking <3.> and inserting <4.>

PRICHARD of Floyd

H-8042

- 1 Amend the amendment, H-8010, to Senate File 455, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 5, through page 6, line 12, and
 4 inserting:
 5 <DIVISION ___
 6 STATE AND DISTRICT COSTS PER PUPIL
 7 Sec. ___. Section 257.1, subsection 4, Code 2018, is amended
 8 to read as follows:
 9 4. *Legislative review.* The provisions of this chapter shall
 10 be subject to legislative review at least every five years.
 11 The review shall be based upon a school finance formula status
 12 report containing the recommendations of a legislative interim
 13 committee appointed to conduct a review of the school finance
 14 formula, to be prepared with the assistance of the department
 15 of education, in association with the departments of management
 16 and revenue. The report shall include recommendations
 17 for school finance formula changes or revisions based upon
 18 demographic changes, enrollment trends, and property tax
 19 valuation fluctuations observed during the preceding five-year
 20 interval; an analysis of the operation of the school finance
 21 formula during the preceding five-year interval; an analysis
 22 of adjustments to regular program state cost per pupil under
 23 section 257.9, subsection 2, adjustments to regular program
 24 district cost per pupil under section 257.10, subsection 2, and

25 supplementary weighting for transportation costs under section
26 257.11, subsection 7A; and a summary of issues that have arisen
27 since the previous review and potential approaches for their
28 resolution. The first such report shall be submitted to the
29 general assembly no later than January 1, 2005, with subsequent
30 reports developed and submitted by January 1 at least every
31 fifth year thereafter.

32 Sec. ____ Section 257.2, subsection 12, Code 2018, is
33 amended to read as follows:

34 12. "*Supplemental state aid*" means the amount by which state
35 cost per pupil and district cost per pupil will increase from

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1 one budget year to the next as the result of the state percent
2 of growth.

3 Sec. ____ Section 257.8, subsection 5, Code 2018, is amended
4 to read as follows:

5 5. *Alternate supplemental state aid — definitions.*

6 a. For budget years beginning July 1, 2000, and subsequent
7 budget years, references to the terms "*supplemental state aid*",
8 "*regular program state cost per pupil*", and "*regular program*
9 *district cost per pupil*" shall mean those terms as calculated
10 for those school districts that calculated regular program
11 supplemental state aid for the school budget year beginning
12 July 1, 1999, with the additional thirty-eight dollars
13 specified in section 257.8, subsection 4, Code 2013.

14 b. For the budget year beginning July 1, 2018, and
15 subsequent budget years, references to "*supplemental state*
16 *aid*" and "*regular program state cost per pupil*" shall mean
17 those terms as calculated including the additional amounts
18 for specified budget years under section 257.9, subsection 2,
19 paragraphs "b", "c", and "d", and references to "*regular program*
20 *district cost per pupil*" shall mean that term as calculated
21 including any adjustments made under section 257.10, subsection
22 2.

23 Sec. ____ Section 257.9, subsection 2, Code 2018, is amended
24 to read as follows:

25 2. *Regular program state cost per pupil for 1992-1993 and*
26 *succeeding years.*

27 a. For the budget year beginning July 1, 1992, and
28 succeeding budget years beginning before July 1, 2018, the
29 regular program state cost per pupil for a budget year is the
30 regular program state cost per pupil for the base year plus the
31 regular program supplemental state aid for the budget year.

32 b. For the budget year beginning July 1, 2018, the regular
33 program state cost per pupil is the regular program state
34 cost per pupil for the base year plus the regular program
35 supplemental state aid for the budget year, plus five dollars.

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1 c. For the budget year beginning July 1, 2019, the regular
 2 program state cost per pupil is the regular program state
 3 cost per pupil for the base year plus the regular program
 4 supplemental state aid for the budget year, plus ten dollars.

5 d. For the budget year beginning July 1, 2020, the regular
 6 program state cost per pupil is the regular program state
 7 cost per pupil for the base year plus the regular program
 8 supplemental state aid for the budget year, plus twenty
 9 dollars.

10 e. For the budget year beginning July 1, 2021, and
 11 succeeding budget years, the regular program state cost per
 12 pupil for a budget year is the regular program state cost per
 13 pupil for the base year plus the regular program supplemental
 14 state aid for the budget year.

15 Sec. ____ Section 257.10, subsection 2, paragraph b, Code
 16 2018, is amended to read as follows:

17 b. If the regular program district cost per pupil of a
 18 school district for the budget year under paragraph "a" exceeds
 19 one hundred five percent of the regular program state cost
 20 per pupil for the budget year and the state percent of growth
 21 for the budget year is greater than two percent, the regular
 22 program district cost per pupil for the budget year for that
 23 district shall be reduced to one hundred five percent of the
 24 regular program state cost per pupil for the budget year.
 25 However, under such conditions, if the difference between the
 26 regular program district cost per pupil for the budget year and
 27 the regular program state cost per pupil for the budget year
 28 is greater than an amount equal to two percent multiplied by
 29 the regular program state cost per pupil for the base year, the
 30 regular program district cost per pupil for the budget year
 31 shall be reduced by the amount equal to two percent multiplied
 32 by the regular program state cost per pupil for the base year.

33 Sec. ____ Section 257.10, subsection 2, Code 2018, is
 34 amended by adding the following new paragraph:
 35 NEW PARAGRAPH. c. For the budget year beginning July 1,

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1 2018, and succeeding budget years, if the regular program
 2 district cost per pupil for the budget year calculated under
 3 this subsection in any school district is less than the
 4 regular program state cost per pupil for the budget year, the
 5 department of management shall increase the regular program
 6 district cost per pupil of that district to an amount equal to
 7 the regular program state cost per pupil for the budget year.

8 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
 9 Act, being deemed of immediate importance, takes effect upon
 10 enactment.

11 DIVISION ____
 12 SCHOOL DISTRICT SUPPLEMENTARY WEIGHTING

13 Sec. ____ Section 257.10, subsection 8, paragraph a, Code
14 2018, is amended to read as follows:

15 a. Combined district cost is the sum of the regular
16 program district cost per pupil multiplied by the weighted
17 enrollment minus the additional pupils added due to section
18 257.11, subsection 7A, the regular program state cost per pupil
19 multiplied by the number of pupils added due to section 257.11,
20 subsection 7A, the special education support services district
21 cost, the total teacher salary supplement district cost, the
22 total professional development supplement district cost, the
23 total early intervention supplement district cost, and the
24 total teacher leadership supplement district cost, plus the sum
25 of the additional district cost allocated to the district to
26 fund media services and educational services provided through
27 the area education agency, the area education agency total
28 teacher salary supplement district cost and the area education
29 agency total professional development supplement district cost.

30 Sec. ____ Section 257.11, Code 2018, is amended by adding
31 the following new subsection:

32 NEW SUBSECTION. 7A. *School district transportation costs.*

33 a. In order to provide additional funds for school district
34 transportation costs resulting from the transportation of
35 resident pupils required by chapter 285 and paid from sources

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1 other than the district's physical plant and equipment levy
2 fund under section 298A.4 or revenue received from the secure
3 an advanced vision for education fund under section 423F.2, a
4 supplementary weighting plan for such pupils is adopted.

5 b. Each school district shall be assigned a supplementary
6 weighting amount as follows:

7 (1) For the budget year beginning July 1, 2018, ten percent
8 of the combined weighting amount calculated under paragraph
9 "c", subparagraph (2), for that budget year.

10 (2) For the budget year beginning July 1, 2019, twenty
11 percent of the combined weighting amount calculated under
12 paragraph "c", subparagraph (2), for that budget year.

13 (3) For the budget year beginning July 1, 2020, and
14 each succeeding budget year, thirty percent of the combined
15 weighting amount calculated under paragraph "c", subparagraph
16 (2), for that budget year.

17 c.(1)(a) *Transportation cost factor.* For each budget
18 year beginning on or after July 1, 2018, the department of
19 management shall calculate for each school district all of the
20 following:

21 (i) The sum of the school district's total transportation
22 costs incurred for the transportation of pupils required under
23 chapter 285, and paid from sources other than the district's
24 physical plant and equipment levy fund under section 298A.4
25 or revenue received from the secure an advanced vision for
26 education fund under section 423F.2, for the three years

- 27 immediately preceding the base year.
- 28 (ii) The sum of the school district's regular program
 29 district cost for the three years immediately preceding the
 30 base year, excluding amounts attributable to budget adjustments
 31 received under section 257.14.
- 32 (iii) The school district's budget enrollment multiplied by
 33 the quotient of the school district's amount under subparagraph
 34 subdivision (i) divided by the school district's amount under
 35 subparagraph subdivision (ii).

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- 1 (iv) The school district's amount under subparagraph
 2 subdivision (iii) divided by the sum of the amounts calculated
 3 under subparagraph subdivision (iii) for all school districts.
- 4 (v) The amount calculated under subparagraph subdivision
 5 (iv) multiplied by ninety percent of the sum of all school
 6 districts' transportation costs incurred for the transportation
 7 of pupils required under chapter 285 for the year preceding
 8 the base year and paid from sources other than the district's
 9 physical plant and equipment levy fund under section 298A.4
 10 or revenue received from the secure an advanced vision for
 11 education fund under section 423F.2.
- 12 (vi) The quotient of the amount calculated under
 13 subparagraph subdivision (v) divided by the regular program
 14 state cost per pupil for the budget year.
- 15 (b) *Budget enrollment factor*. For each budget year
 16 beginning on or after July 1, 2018, the department of
 17 management shall calculate for each school district all of the
 18 following:
- 19 (i) The quotient of the school district's budget enrollment
 20 divided by the statewide total budget enrollment multiplied by
 21 five percent of the sum of all school districts' transportation
 22 costs incurred for the transportation of pupils required under
 23 chapter 285 for the year preceding the base year and paid from
 24 sources other than the district's physical plant and equipment
 25 levy fund under section 298A.4 or revenue received from the
 26 secure an advanced vision for education fund under section
 27 423F.2.
- 28 (ii) The amount calculated under subparagraph subdivision
 29 (i) divided by the regular program state cost per pupil for the
 30 budget year.
- 31 (c) *Route miles factor*. For each budget year beginning
 32 on or after July 1, 2018, the department of management shall
 33 calculate for each school district all of the following:
- 34 (i) The quotient of the school district's total route
 35 miles traveled for the transportation of pupils required under

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- 1 chapter 285 for the year preceding the base year divided by the
 2 school district's budget enrollment.

- 3 (ii) The school district's amount under subparagraph
4 subdivision (i) divided by the sum of the amounts calculated
5 under subparagraph subdivision (i) for all school districts.
- 6 (iii) The amount calculated under subparagraph subdivision
7 (ii) multiplied by five percent of the sum of all school
8 districts' transportation costs incurred for the transportation
9 of pupils required under chapter 285 for the year preceding
10 the base year and paid from sources other than the district's
11 physical plant and equipment levy fund under section 298A.4
12 or revenue received from the secure an advanced vision for
13 education fund under section 423F.2.
- 14 (iv) The amount calculated under subparagraph subdivision
15 (iii) divided by the regular program state cost per pupil for
16 the budget year.
- 17 (2) The combined weighting amount for each school district
18 is the sum of the following:
- 19 (a) The amount calculated under subparagraph (1),
20 subparagraph division (a), subparagraph subdivision (vi).
- 21 (b) The amount calculated under subparagraph (1),
22 subparagraph division (b), subparagraph subdivision (ii).
- 23 (c) The amount calculated under subparagraph (1),
24 subparagraph division (c), subparagraph subdivision (iv).
- 25 *d.* Funding received by a school district as the result of
26 supplementary weighting under this subsection shall not affect
27 a school district's eligibility for transportation assistance
28 under section 257.31, subsection 17.
- 29 *e.* Amounts received by a school district as the result
30 of supplementary weighting under this subsection shall be
31 deposited in the school district's general fund and may be used
32 for any general fund purpose.
- 33 *f.* If a school district established as the result of a
34 reorganization under chapter 275 does not have sufficient
35 transportation cost data, regular program district cost per

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- 1 pupil data, or enrollment data for the calculation of amounts
2 required under this subsection, the department of management
3 shall use estimated transportation cost data, regular program
4 district cost per pupil data, and enrollment data derived from
5 data for prior budget years from each district involved in
6 the reorganization until such amounts can be calculated using
7 actual data for the reorganized school district.
- 8 *g.* For the budget years beginning July 1, 2018, July 1,
9 2019, and July 1, 2020, and if necessary, any subsequent budget
10 years, if insufficient or incomplete transportation cost data
11 makes the implementation of this subsection impractical, the
12 department of management shall, in consultation with the
13 department of education and the legislative services agency,
14 establish procedures and modified methodologies for calculating
15 supplementary weighting and funding amounts under this
16 subsection.

17 Sec. ____ Section 257.11, subsection 8, Code 2018, is
 18 amended to read as follows:
 19 8. *Pupils ineligible.* A Except for transportation weighting
 20 under subsection 7A, a pupil eligible for the weighting plan
 21 provided in section 256B.9 is not eligible for supplementary
 22 weighting pursuant to this section unless it is determined
 23 that the course generating the supplemental weighting has no
 24 relationship to the pupil's disability. A pupil attending an
 25 alternative program or an at-risk pupils' program, including
 26 alternative high school programs, is not eligible for
 27 supplementary weighting under subsection 2.
 28 Sec. ____ Section 257.31, subsection 17, paragraphs a and d,
 29 Code 2018, are amended to read as follows:
 30 a. If a district's average transportation costs per
 31 pupil exceed the state average transportation costs per
 32 pupil determined under paragraph "c" by one hundred fifty
 33 percent, the committee may grant transportation assistance aid
 34 to the district using exclusively the funds transferred to
 35 the committee in accordance with section 321.34, subsection

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1 22. Such aid shall be miscellaneous income and shall not be
 2 included in district cost.
 3 d. Funds transferred to the committee in accordance with
 4 section 321.34, subsection 22, are appropriated to and may be
 5 expended for the purposes of the committee, as described in
 6 this ~~section~~ subsection. However, highest priority shall be
 7 given to districts that meet the conditions described in this
 8 subsection. Notwithstanding any other provision of the Code,
 9 unencumbered or unobligated funds transferred to the committee
 10 pursuant to section 321.34, subsection 22, remaining on June
 11 30 of the fiscal year for which the funds were transferred,
 12 shall not revert but shall be available for expenditure for the
 13 purposes of this subsection in subsequent fiscal years.
 14 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
 15 Act, being deemed of immediate importance, takes effect upon
 16 enactment.>
 17 2. By renumbering, redesignating, and correcting internal
 18 references as necessary.

WINCKLER of Scott

H-8043

1 Amend House File 2375 as follows:
 2 1. By striking page 1, line 12, through page 2, line 12.
 3 2. By renumbering as necessary.

MOHR of Scott

H-8044

1 Amend House File 2285 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1.SUPPLEMENTAL REIMBURSEMENT FOR GROUND
5 EMERGENCY MEDICAL TRANSPORTATION SERVICES PROVIDED TO MEDICAID
6 BENEFICIARIES.

7 1. The department of human services shall submit a Medicaid
8 state plan amendment to the centers for Medicare and Medicaid
9 services of the United States department of health and human
10 services to request authorization to establish and administer a
11 methodology to provide supplemental reimbursement to eligible
12 ground emergency medical transportation providers that provide
13 ground emergency medical transportation services to Medicaid
14 beneficiaries. For the purposes of this section, “eligible
15 ground emergency medical transportation provider” means a
16 provider who provides ground emergency medical transportation
17 services to Medicaid beneficiaries and is enrolled as a
18 Medicaid provider during the period being claimed.

19 2. The emergency medical transportation intergovernmental
20 transfer obligation established under this section is
21 contingent upon the continuation of the federal Medicaid
22 funding methodology in effect on the effective date of this
23 Act. If the federal methodology is changed after the effective
24 date of this Act in a manner that negatively impacts the
25 intergovernmental transfer obligation, as determined by the
26 department, the department shall no longer be obligated to
27 continue the intergovernmental transfer.

28 Sec. 2.EFFECTIVE DATE. This Act, being deemed of immediate
29 importance, takes effect upon enactment.>

30 2. Title page, lines 1 and 2, by striking <publicly owned or
31 operated> and inserting <eligible>

KAUFMANN of Cedar

H-8045

1 Amend House File 2131 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 423A.2, subsection 1, paragraph c, Code
4 2018, is amended to read as follows:

5 c. “Lodging” means rooms, apartments, or sleeping quarters
6 in a hotel, motel, inn, public lodging house, rooming house,
7 or manufactured home or mobile home ~~which is tangible personal~~
8 ~~property as defined in section 435.1~~, or in a tourist court,
9 or in any place where sleeping accommodations are furnished
10 to transient guests for rent, whether with or without meals.
11 Lodging does not include rooms that are not used for sleeping
12 accommodations.>

13 2. Title page, line 1, by striking <the exemption from>

14 3. Title page, line 1, by striking <taxes> and inserting

- 15 <taxes.>
 16 4. Title page, by striking lines 2 and 3.
 17 5. By renumbering as necessary.

MAXWELL of Poweshiek

H-8046

- 1 Amend House File 2307 as follows:
 2 1. Page 4, line 27, after <rates.> by inserting <The lesser
 3 of the sale price or the fair market value of the acquired
 4 utility as established pursuant to section 388.2A, subsection
 5 2, shall be used in determining the applicable ratemaking
 6 principles.>

LONDON of Polk

H-8047

- 1 Amend House File 2199 as follows:
 2 1. Page 2, by striking lines 33 through 35 and inserting:
 3 <NEW PARAGRAPH. f. The Act is committed upon property that
 4 consists of a device that has the ability to process a payment
 5 card as defined in section 715A.10.>

WOLFE of Clinton

H-8048

- 1 Amend House File 2392 as follows:
 2 1. Page 1, line 28, by striking <renter> and inserting
 3 <lessee>

HEARTSILL of Marion

H-8049

- 1 Amend House File 2238 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 910.1, subsection 3, Code 2018, is
 5 amended to read as follows:
 6 3. "*Pecuniary damages*" means all damages to the extent
 7 not paid by an insurer on an insurance claim by the victim,
 8 which a victim could recover against the offender in a civil
 9 action arising out of the same facts or event, except punitive
 10 damages and damages for pain, suffering, mental anguish, and
 11 loss of consortium. Without limitation, "*pecuniary damages*"
 12 includes damages for wrongful death and expenses incurred for
 13 psychiatric or psychological services or counseling or other
 14 counseling for the victim which became necessary as a direct
 15 result of the criminal activity.
 16 Sec. 2. Section 910.1, subsection 5, Code 2018, is amended

17 to read as follows:

18 5. "*Victim*" means a person who has suffered pecuniary
 19 damages as a result of the offender's criminal activities.
 20 However, for purposes of this chapter, an insurer paying a
 21 victim's insurance claim is not a victim and does not have a
 22 right of subrogation. An insurer may be a victim for purposes
 23 of this chapter if insurance fraud in violation of section
 24 507E.3 or 507E.3A has been perpetrated against the insurer.
 25 The crime victim compensation program is not an insurer for
 26 purposes of this chapter, and the right of subrogation provided
 27 by section 915.92 does not prohibit restitution to the crime
 28 victim compensation program.>
 29 2. Title page, line 2, after <victims> by inserting <of
 30 insurance fraud>

PETTENGILL of Benton

H-8050

1 Amend House File 2286 as follows:
 2 1. Page 1, line 10, after <property.> by inserting <However,
 3 a county may limit a real property owner to no more than two
 4 contract sales per year unless those sales are done by a
 5 licensed attorney, banker, real estate broker, or licensed real
 6 estate agent.>
 7 2. Page 1, line 20, after <property.> by inserting <However,
 8 a city may limit a real property owner to no more than two
 9 contract sales per year unless those sales are done by a
 10 licensed attorney, banker, real estate broker, or licensed real
 11 estate agent.>

MEYER of Polk

H-8051

1 Amend House Joint Resolution 2009 as follows:
 2 1. Page 1, by striking lines 5 and 6 and inserting:
 3 <**Right to keep and bear arms.** SEC. 1A. A well regulated
 4 militia, being necessary to the security of a free state,
 5 the right of the people to keep and bear arms, shall not be
 6 infringed. The>
 7 2. Title page, line 2, after <relating to> by inserting <a
 8 well regulated militia and>

MEYER of Polk

H-8052

1 Amend House File 2367 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 261E.8, subsection 2, Code 2018, is
 5 amended to read as follows:

6 2. Students from accredited nonpublic schools and students
 7 receiving competent private instruction ~~or independent private~~
 8 ~~instruction~~ under chapter 299A may access the program through
 9 the school district in which the accredited nonpublic school or
 10 private institution is located.

11 Sec. 2. Section 299.1, subsection 1, Code 2018, is amended
 12 to read as follows:

13 1. Except as provided in section 299.2, the parent,
 14 guardian, or legal or actual custodian of a child who is of
 15 compulsory attendance age shall cause the child to attend some
 16 public school or an accredited nonpublic school, or place
 17 the child under competent private instruction ~~or independent~~
 18 ~~private instruction~~ in accordance with the provisions of
 19 chapter 299A, during a school year, as defined under section
 20 279.10.

21 Sec. 3. Section 299.1B, Code 2018, is amended to read as
 22 follows:

23 **299.1B Failure to attend — driver's license.**

24 A person who is of compulsory attendance age ~~who does~~
 25 ~~not meet the requirements for an exception under section~~
 26 ~~299.2, who~~ does not attend a public school or an accredited
 27 nonpublic school, who is not receiving competent private
 28 instruction ~~or independent private instruction~~ in accordance
 29 with the provisions of chapter 299A, and who does not attend
 30 an alternative school or adult education classes, shall not
 31 receive an intermediate or full driver's license until age
 32 eighteen.

33 Sec. 4. Section 299.4, subsection 1, Code 2018, is amended
 34 to read as follows:

35 1. The parent, guardian, or legal custodian of a child who

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1 is of compulsory attendance age, who places the child under
 2 competent private instruction under either section 299A.2 or
 3 299A.3, not in an accredited school or a home school assistance
 4 program operated by a school district or accredited nonpublic
 5 school, shall furnish a report in duplicate on forms provided
 6 by the public school district, to the district by September 1
 7 of the school year in which the child will be under competent
 8 private instruction. The secretary shall retain and file
 9 one copy and forward the other copy to the district's area
 10 education agency. The report shall state the name and age of
 11 the child, the period of time during which the child has been
 12 or will be under competent private instruction for the year,
 13 an outline of the course of study, texts used, and the name
 14 and address of the instructor. The parent, guardian, or legal
 15 custodian of a child, who is placing the child under competent
 16 private instruction for the first time, shall also provide the
 17 district with evidence that the child has had the immunizations
 18 required under section 139A.8, and, if the child is elementary
 19 school age, a blood lead test in accordance with section

20 135.105D. The term “*outline of course of study*” shall include
21 subjects covered, lesson plans, and time spent on the areas of
22 study.

23 Sec. 5. Section 299.6A, subsection 1, Code 2018, is amended
24 to read as follows:

25 1. In lieu of a criminal proceeding under section 299.6,
26 a county attorney may bring a civil action against a parent,
27 guardian, or legal or actual custodian of a child who is of
28 compulsory attendance age, has not completed educational
29 requirements, and is truant, if the parent, guardian, or legal
30 or actual custodian has failed to cause the child to attend a
31 public school or an accredited nonpublic school, or to place
32 the child under competent private instruction ~~or independent~~
33 ~~private instruction~~ in the manner provided in this chapter. If
34 the court finds that the parent, guardian, or legal or actual
35 custodian has failed to cause the child to attend as required

PAGE 3

1 in this section, the court shall assess a civil penalty of not
2 less than one hundred but not more than one thousand dollars
3 for each violation established.

4 Sec. 6. Section 299.8, Code 2018, is amended to read as
5 follows:

6 **299.8 “Truant” defined.**

7 Any child of compulsory attendance age who fails to attend
8 school as provided in this chapter, or as required by the
9 school board’s or school governing body’s attendance policy,
10 or who fails to attend competent private instruction ~~or~~
11 ~~independent private instruction~~ under chapter 299A, without
12 reasonable excuse for the absence, shall be deemed to be a
13 truant. A finding that a child is truant, however, shall not
14 by itself mean that the child is a child in need of assistance
15 within the meaning of chapter 232 and shall not be the sole
16 basis for a child in need of assistance petition.

17 Sec. 7. Section 299.11, subsection 1, Code 2018, is amended
18 to read as follows:

19 1. The truancy officer may take into custody without
20 warrant any apparently truant child and place the child
21 in the charge of the school principal, or the principal’s
22 designee, designated by the board of directors of the school
23 district in which the child resides, or in the charge of any
24 nonpublic school or any authority providing competent private
25 instruction ~~or independent private instruction~~ as defined in
26 section 299A.1, designated by the parent, guardian, or legal
27 or actual custodian; but if it is other than a public school,
28 the instruction and maintenance of the child shall be without
29 expense to the school district. If a child is taken into
30 custody under this section, the truancy officer shall make
31 every reasonable attempt to immediately notify the parent,
32 guardian, or legal or actual custodian of the child’s location.

33 Sec. 8. Section 299.12, subsection 2, Code 2018, is amended

34 to read as follows:

35 2. This section is not applicable to a child who is

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1 receiving competent private instruction ~~or independent private~~
 2 ~~instruction~~ in accordance with the requirements of chapter
 3 299A. If a child is not in compliance with the attendance
 4 requirements established under section 299.1, and has not
 5 completed educational requirements through the sixth grade,
 6 and the school has used every means available to assure the
 7 child does attend, the school truancy officer shall contact
 8 the child's parent, guardian, or legal or actual custodian to
 9 participate in an attendance cooperation meeting. The parties
 10 to the attendance cooperation meeting may include the child
 11 and shall include the child's parent, guardian, or legal or
 12 actual custodian and the school truancy officer. The school
 13 truancy officer contacting the participants in the attendance
 14 cooperation meeting may invite other school officials, a
 15 designee of the juvenile court, the county attorney or the
 16 county attorney's designee, or other persons deemed appropriate
 17 to participate in the attendance cooperation meeting.

18 Sec. 9. Section 299A.1, Code 2018, is amended to read as
 19 follows:

20 **299A.1 ~~Competent private~~ Private instruction and independent**
 21 **~~private instruction.~~**

22 1. The parent, guardian, or legal custodian of a child of
 23 compulsory attendance age who places the child under private
 24 instruction shall provide, unless otherwise exempted, competent
 25 private instruction ~~or independent private instruction~~ in
 26 accordance with this chapter. A parent, guardian, or legal
 27 custodian of a child of compulsory attendance age who places
 28 the child under private instruction which is not competent
 29 private instruction ~~or independent private instruction~~,
 30 or otherwise fails to comply with the requirements of this
 31 chapter, is subject to the provisions of sections 299.1 through
 32 299.4 and the penalties provided in section 299.6.

33 2. For purposes of this chapter and chapter 299:

34 a. "*Competent private instruction*" means private instruction
 35 provided on a daily basis for at least one hundred forty-eight

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1 days during a school year, to be met by attendance for at
 2 least thirty-seven days each school quarter, by or under the
 3 supervision of a licensed practitioner in the manner provided
 4 under section 299A.2, or a parent, guardian, or legal custodian
 5 under section 299A.3, which results in the student making
 6 adequate progress.

7 b. "*Independent private instruction*" means instruction that
 8 meets the following criteria:

9 (1) ~~Is not accredited.~~

- 10 (2) Enrolls not more than four unrelated students.
 11 (3) Does not charge tuition, fees, or other remuneration for
 12 instruction.
 13 (4) Provides private or religious-based instruction as its
 14 primary purpose.
 15 (5) Provides enrolled students with instruction in
 16 mathematics, reading and language arts, science, and social
 17 studies.
 18 (6) Provides, upon written request from the superintendent
 19 of the school district in which the independent private
 20 instruction is provided, or from the director of the department
 21 of education, a report identifying the primary instructor,
 22 location, name of the authority responsible for the independent
 23 private instruction, and the names of the students enrolled.
 24 (7) Is not a nonpublic school and does not provide competent
 25 private instruction as defined in this subsection.
 26 (8) Is exempt from all state statutes and administrative
 27 rules applicable to a school, a school board, or a school
 28 district, except as otherwise provided in chapter 299 and this
 29 chapter.
 30 *e. b.* "Private instruction" means instruction using a
 31 plan and a course of study in a setting other than a public or
 32 organized accredited nonpublic school.
 33 Sec. 10. Section 299A.3, unnumbered paragraph 1, Code 2018,
 34 is amended to read as follows:
 35 A parent, guardian, or legal custodian of a child of

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- 1 compulsory attendance age providing competent private
 2 instruction to the child ~~may~~ shall meet all of the following
 3 requirements:
 4 Sec. 11. Section 299A.11, Code 2018, is amended to read as
 5 follows:
 6 **299A.11 Student records confidential.**
 7 Notwithstanding any provision of law or rule to the
 8 contrary, personal information in records regarding a child
 9 receiving competent private instruction ~~or independent private~~
 10 ~~instruction~~ pursuant to this chapter, which are maintained,
 11 created, collected, or assembled by or for a state agency,
 12 shall be kept confidential in the same manner as personal
 13 information in student records maintained, created, collected,
 14 or assembled by or for a school corporation or educational
 15 institution in accordance with section 22.7, subsection 1.
 16 Sec. 12. Section 321.178, subsection 1, paragraph c, Code
 17 2018, is amended to read as follows:
 18 c. Every public school district in Iowa shall offer
 19 or make available to all students residing in the school
 20 district, or Iowa students attending a nonpublic school or
 21 receiving competent private instruction ~~or independent private~~
 22 ~~instruction as defined in section 299A.1~~, in the district, an
 23 approved course in driver education. The receiving district

24 shall be the school district responsible for making driver
25 education available to a student participating in open
26 enrollment under section 282.18. The courses may be offered
27 at sites other than at the public school, including nonpublic
28 school facilities within the public school districts. An
29 approved course offered during the summer months, on Saturdays,
30 after regular school hours during the regular terms or partly
31 in one term or summer vacation period and partly in the
32 succeeding term or summer vacation period, as the case may
33 be, shall satisfy the requirements of this section to the
34 same extent as an approved course offered during the regular
35 school hours of the school term. A student who successfully

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1 completes and obtains certification in an approved course in
2 driver education or an approved course in motorcycle education
3 may, upon proof of such fact, be excused from any field test
4 which the student would otherwise be required to take in
5 demonstrating the student's ability to operate a motor vehicle.
6 A student shall not be excused from any field test if a parent,
7 guardian, or instructor requests that a test be administered.
8 A final field test prior to a student's completion of an
9 approved course shall be administered by a person qualified
10 as a classroom driver education instructor and certified to
11 provide street and highway driving instruction. A person
12 qualified as a classroom driver education instructor but not
13 certified to provide street and highway driving instruction
14 may administer the final field test if accompanied by another
15 person qualified to provide street and highway driving
16 instruction.

17 Sec. 13. Section 321.180B, subsection 2, paragraph a, Code
18 2018, is amended to read as follows:

19 a. The department may issue an intermediate driver's
20 license to a person sixteen or seventeen years of age who
21 possesses an instruction permit issued under subsection 1 or
22 a comparable instruction permit issued by another state for a
23 minimum of twelve months immediately preceding application,
24 and who presents an affidavit signed by a parent, guardian, or
25 custodian on a form to be provided by the department that the
26 permittee has accumulated a total of twenty hours of street
27 or highway driving of which two hours were conducted after
28 sunset and before sunrise and the street or highway driving was
29 with the permittee's parent, guardian, custodian, instructor,
30 a person certified by the department, or a person at least
31 twenty-five years of age who had written permission from a
32 parent, guardian, or custodian to accompany the permittee, and
33 whose driving privileges have not been suspended, revoked,
34 or barred under this chapter or chapter 321J during, and who
35 has been accident and violation free continuously for, the

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1 six-month period immediately preceding the application for an
 2 intermediate license. An applicant for an intermediate license
 3 must meet the requirements of section 321.186, including
 4 satisfactory completion of driver education as required in
 5 section 321.178 ~~or 321.178A~~, and payment of the required
 6 license fee before an intermediate license will be issued. A
 7 person issued an intermediate license must limit the number of
 8 passengers in the motor vehicle when the intermediate licensee
 9 is operating the motor vehicle to the number of passenger
 10 safety belts. In addition, unless waived by the person's
 11 parent or guardian at the time the intermediate license is
 12 issued, for the first six months following issuance of the
 13 license, a person issued an intermediate license must limit the
 14 number of unrelated minor passengers in the motor vehicle when
 15 the intermediate licensee is operating the motor vehicle to
 16 one, except when the intermediate licensee is accompanied in
 17 accordance with subsection 1. For purposes of this subsection,
 18 "*unrelated minor passenger*" means a passenger who is under
 19 eighteen years of age and who is not a sibling of the driver, a
 20 stepsibling of the driver, or a child who resides in the same
 21 household as the driver. The department shall prescribe the
 22 form for waiver of the six-month restriction on unrelated minor
 23 passengers, which may be in an electronic format, and shall
 24 designate characteristics for the intermediate license that
 25 shall distinguish between an intermediate license that includes
 26 the six-month restriction on unrelated minor passengers and
 27 an intermediate license that does not include the six-month
 28 restriction on unrelated minor passengers.

29 Sec. 14.REPEAL. Section 321.178A, Code 2018, is repealed.>

30 2. Title page, by striking lines 1 through 4 and inserting
 31 <An Act relating to private instruction.>

MASCHER of Johnson

H-8053

1 Amend House File 2131 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 423A.2, subsection 1, paragraph c, Code
 4 2018, is amended to read as follows:

5 c. "*Lodging*" means rooms, apartments, or sleeping quarters
 6 in a hotel, motel, inn, public lodging house, rooming house,
 7 ~~or manufactured or mobile home which is tangible personal~~
 8 ~~property~~, or in a tourist court, or in any place where sleeping
 9 accommodations are furnished to transient guests for rent,
 10 whether with or without meals. Lodging does not include rooms
 11 that are not used for sleeping accommodations.>

12 2. Title page, line 1, by striking <the exemption from>

13 3. Title page, line 1, by striking <taxes> and inserting

14 <taxes.>

- 15 4. Title page, by striking lines 2 and 3.
 16 5. By renumbering as necessary.

MAXWELL of Poweshiek

H-8054

- 1 Amend House File 2394 as follows:
 2 1. Page 3, by striking lines 2 through 4 and inserting:
 3 < g. Any land, building, conveyance, or other temporary or
 4 permanent structure whether publicly or privately owned, that
 5 contains, houses, supports, or is appurtenant to any critical
 6 infrastructure as described in paragraphs "a" through "f" of
 7 this subsection.>
 8 2. Page 3, line 5, by striking <3.> and inserting <2.>
 9 3. Page 3, line 8, by striking <property>
 10 4. Page 3, line 12, after <duties> by inserting <, including
 11 but not limited to an interruption or impairment of service
 12 occurring in the ordinary and normal course of agricultural
 13 work duties>
 14 5. Title page, line 2, by striking <property>

WORTHAN of Buena Vista

H-8055

- 1 Amend House File 2368 as follows:
 2 1. Page 1, after line 2 by inserting:
 3 <Sec. .**NEW SECTION. 546B.1 Legislative findings and**
 4 **intent.**
 5 The general assembly finds and declares that the practice of
 6 using the allure of untapped benefits from the United States
 7 department of veterans affairs to market products and services
 8 substantially affects the public interest and that this
 9 practice may impact the ability of veterans or their surviving
 10 spouses to appropriately plan their finances and for their
 11 care. The general assembly further finds that the lack of
 12 regulation of persons who provide advice related to veterans'
 13 benefits is inadequate to address unfair and deceptive use and
 14 marketing of financial planning options that are potentially
 15 detrimental to veterans and their spouses and families.
 16 Therefore, it is the intent of the general assembly to
 17 restrict, consistent with federal law, how individuals receive
 18 compensation and remuneration for providing assistance with
 19 veterans' benefit-related services and to encourage certain
 20 disclosures by individuals offering veterans' benefit-related
 21 services.>
 22 2. Page 1, line 3, by striking <546B.1> and inserting
 23 <546B.2>
 24 3. Page 1, line 25, by striking <546B.2> and inserting
 25 <546B.3>
 26 4. Page 2, line 29, by striking <546B.3> and inserting

- 27 <546B.4>
28 5. Page 3, line 11, by striking <546B.2> and inserting
29 <546B.3>
30 6. Page 3, line 12, by striking <546B.4> and inserting
31 <546B.5>
32 7. Page 3, line 17, by striking <546B.5> and inserting
33 <546B.6>
34 8. By renumbering as necessary.

BAXTER of Hancock

H-8056

- 1 Amend House File 2410 as follows:
2 1. Page 4, after line 17 by inserting:
3 <Sec. __.EFFECTIVE DATE. The following takes effect July
4 1, 2019:
5 The section of this Act amending section 692A.128.>
6 2. Title page, lines 3 and 4, by striking <and providing
7 penalties> and inserting <providing penalties, and including
8 effective date provisions>

BRECKENRIDGE of Jasper

H-8057

- 1 Amend House File 2364 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1.NEW SECTION. **505.20 Certain organizations**
5 **exempt from regulation.**
6 1. A health benefit plan, sponsored by an eligible
7 organization domiciled in this state that meets the
8 requirements set forth in subsection 2, shall be deemed to
9 not be insurance pursuant to this subtitle and shall not be
10 subject to the jurisdiction of the commissioner of insurance
11 to the extent such health benefit plan, after January 1, 2019,
12 provides health benefits under a self-funded arrangement that
13 is administered by an eligible third-party administrator that
14 meets the requirements set forth in subsection 3.
15 2. An eligible organization providing a health benefit
16 plan to its members under this section shall meet all of the
17 following requirements:
18 a. Provide membership opportunities for eligible
19 individuals.
20 b. Collect annual dues from members.
21 c. Hold regular meetings to further the purposes of the
22 members.
23 d. Provide members with representation on the organization's
24 governing board and committees.
25 e. Provide education, mentoring, or financial assistance.

26 *f.* Contract with an eligible third-party administrator that
 27 meets the requirements set forth in subsection 3 to administer
 28 the health benefit plan. The contract with the eligible
 29 third-party administrator shall provide that the eligible
 30 third-party administrator shall not be responsible for paying
 31 any claims under the health benefit plan that are not funded
 32 by the eligible organization.
 33 3. An eligible third-party administrator administering a
 34 self-funded arrangement under this section shall meet all of
 35 the following requirements:

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1 *a.* Register as a third-party administrator pursuant to
 2 chapter 510.
 3 *b.* Offer individual health insurance products either
 4 directly or through an affiliate organization.
 5 4. Prior to providing a health benefit plan to its
 6 members under this section an eligible organization shall
 7 file a certification with the commissioner that the eligible
 8 organization meets all requirements of this section.
 9 5. The commissioner shall ensure expedited processing of
 10 a third-party administrator registration pursuant to chapter
 11 510 for a third-party administrator administering a self-funded
 12 arrangement under this section.>
 13 2. Title page, line 2, by striking <agricultural>

VANDER LINDEN of Mahaska
 PETTENGILL of Benton

H-8058

1 Amend House File 2236 as follows:
 2 1. Page 5, after line 28 by inserting:
 3 <Sec. ____ Section 508.25, Code 2018, is amended to read as
 4 follows:
 5 **508.25 Policy forms — approval.**
 6 It shall be unlawful for any insurance company transacting
 7 business within this state, under the provisions of this
 8 chapter, to ~~write~~ do any of the following:
 9 1. Write or use any form of policy or contract of insurance,
 10 on the life of any individual in this state, until a copy
 11 of such form of policy or contract has been filed with and
 12 approved by the commissioner of insurance.
 13 2. Fail to provide at least thirty calendar days' advance
 14 written notice, by certified mail to a policyholder's last
 15 known address, prior to a change in the policyholder's premium.
 16 3. Terminate a policyholder's coverage for failure to pay a
 17 premium if notification pursuant to subsection 2 is not given
 18 to the policyholder.>
 19 2. Title page, by striking lines 1 through 3 and inserting
 20 <An Act relating to the commissioner of insurance as the agent

21 or attorney for service of process and as the regulator of life
 22 insurance companies, and resolving>
 23 3. By renumbering as necessary.

STAED of Linn

H-8059

1 Amend House File 2236 as follows:
 2 1. Page 8, after line 4 by inserting:
 3 <Sec. __. Section 514C.19, Code 2018, is amended to read
 4 as follows:
 5 **514C.19 Prescription contraceptive coverage.**
 6 1. For purposes of this section:
 7 a. "Dispense" means the same as defined in section 155A.3.
 8 b. "Health care professional" means the same as defined in
 9 section 514J.102.
 10 c. "Prescription contraceptive" means a medically acceptable
 11 oral drug or contraceptive patch or ring that is used to
 12 prevent pregnancy, and requires a prescription.
 13 4. 2. Notwithstanding the uniformity of treatment
 14 requirements of section 514C.6, a group policy, or contract, or
 15 plan providing for third-party payment or prepayment of health
 16 or medical expenses shall not do either of the following:
 17 a. Exclude or restrict benefits for a prescription
 18 contraceptive drugs or prescription contraceptive devices which
 19 prevent conception and which are contraceptive that is approved
 20 by the United States food and drug administration, or a generic
 21 equivalents equivalent approved as substitutable a substitute
 22 by the United States food and drug administration, if such
 23 policy, or contract, or plan provides benefits a benefit for
 24 any other outpatient prescription drugs drug or devices device.
 25 Such policy, contract, or plan shall provide for payment to a
 26 health care professional that dispenses any of the following to
 27 a covered person:
 28 (1) A three-month supply of a prescription contraceptive
 29 the first time the prescription contraceptive is dispensed to
 30 the covered person.
 31 (2) A twelve-month supply of a prescription contraceptive
 32 for any subsequent dispensing of the same prescription
 33 contraceptive to the covered person.
 34 (3) A three-month supply of a prescription vaginal
 35 contraceptive ring.

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1 b. Exclude or restrict benefits for an outpatient
 2 contraceptive services which are service that is provided
 3 for the purpose of preventing conception if such policy,
 4 or contract, or plan provides benefits a benefit for any
 5 other outpatient services service provided by a health care
 6 professional.

7 ~~2.~~ 3. A person who provides a group policy, ~~or~~ contract, or
 8 plan providing for third-party payment or prepayment of health
 9 or medical expenses which is subject to subsection 1 2 shall
 10 not do any of the following:

11 a. Deny to an individual eligibility, or continued
 12 eligibility, to enroll in or to renew coverage under the terms
 13 of the policy, ~~or~~ contract, or plan because of the individual's
 14 use or potential use of such a prescription contraceptive
 15 ~~drugs drug or devices device~~, or use or potential use of an
 16 outpatient contraceptive ~~services service~~.
 17 b. Provide a monetary payment or rebate to a covered
 18 individual to encourage such individual to accept less than the
 19 minimum benefits provided for under subsection 1 2.
 20 c. Penalize or otherwise reduce or limit the reimbursement
 21 of a health care professional because such professional
 22 prescribes a contraceptive ~~drugs drug or devices device~~, or
 23 provides a contraceptive ~~services service~~.
 24 d. Provide ~~incentives an incentive~~, monetary or otherwise,
 25 to a health care professional to induce such professional to
 26 withhold ~~from a covered individual a~~ contraceptive ~~drugs drug~~
 27 or ~~devices device~~, or a contraceptive ~~services service~~ from a
 28 covered individual.

29 ~~3.~~ 4. This section shall not be construed to prevent a
 30 third-party payor from including deductibles, coinsurance, or
 31 copayments under the policy, ~~or~~ contract, or plan as follows:

32 a. A deductible, coinsurance, or copayment for ~~benefits a~~
 33 benefit for a prescription contraceptive ~~drugs drug~~ shall not
 34 be greater than such deductible, coinsurance, or copayment for
 35 any outpatient prescription drug for which coverage under the

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1 policy, ~~or~~ contract, or plan is provided.
 2 b. A deductible, coinsurance, or copayment for ~~benefits a~~
 3 benefit for a prescription contraceptive ~~devices device~~ shall
 4 not be greater than such deductible, coinsurance, or copayment
 5 for any outpatient prescription device for which coverage under
 6 the policy, ~~or~~ contract, or plan is provided.

7 c. A deductible, coinsurance, or copayment for ~~benefits a~~
 8 benefit for an outpatient contraceptive ~~services service~~ shall
 9 not be greater than such deductible, coinsurance, or copayment
 10 for any outpatient health care ~~services service~~ for which
 11 coverage under the policy, ~~or~~ contract, or plan is provided.

12 ~~4.~~ 5. This section shall not be construed to require
 13 a third-party payor under a policy, ~~or~~ contract, or plan
 14 to provide ~~benefits a benefit~~ for an experimental or
 15 investigational contraceptive ~~drugs drug or devices device~~, or
 16 experimental or investigational contraceptive ~~services service~~,
 17 except to the extent that such policy, ~~or~~ contract, or plan
 18 provides coverage for any other experimental or investigational
 19 outpatient prescription ~~drugs drug or devices device~~, or
 20 experimental or investigational outpatient health care ~~services~~

21 service.

22 ~~5. 6.~~ This section shall not be construed to limit or
23 otherwise discourage ~~the~~ any of the following:

24 a. The use of a generic equivalent ~~drugs drug~~ approved
25 by the United States food and drug administration, ~~whenever~~
26 if available and appropriate. ~~This section, when a brand~~
27 name drug is requested by a covered individual and a suitable
28 generic equivalent is available and appropriate, shall not be
29 construed to prohibit a

30 b. A third-party payor from requiring ~~the a~~ covered
31 individual to pay a deductible, coinsurance, or copayment
32 consistent with subsection ~~3~~ 4, in addition to the difference
33 of the cost of the brand name drug less the maximum covered
34 amount for a generic equivalent.

35 7. This section shall not be construed to require a

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1 third-party payor to provide payment to a health care
2 professional for dispensing a prescription contraceptive to
3 replace a prescription contraceptive that has been dispensed
4 to a covered person and that has been misplaced, stolen, or
5 destroyed. This section shall not be construed to require a
6 third-party payor to replace covered prescriptions that are
7 misplaced, stolen, or destroyed.

8 ~~6. 8.~~ A person who provides an individual policy, ~~or~~
9 contract, ~~or plan~~ providing for third-party payment or
10 prepayment of health or medical expenses shall make available
11 a coverage provision that satisfies the requirements in
12 subsections ~~1~~ 2 through ~~5~~ 7 in the same manner as such
13 requirements are applicable to a group policy, ~~or contract, or~~
14 plan under those subsections. The policy, ~~or contract, or plan~~
15 shall provide that the individual policyholder may reject the
16 coverage provision at the option of the policyholder.

17 ~~7. 9.a.~~ This section ~~applies~~ shall apply to the following
18 classes of third-party payment provider policies, contracts, or
19 policies and plans delivered, issued for delivery, continued,
20 or renewed in this state on or after July 1, ~~2000~~ 2018:

21 (1) Individual or group accident and sickness insurance
22 providing coverage on an expense-incurred basis.

23 (2) An individual or group hospital or medical service
24 contract issued pursuant to chapter 509, 514, or 514A.

25 (3) An individual or group health maintenance organization
26 contract regulated under chapter 514B.

27 (4) Any other entity engaged in the business of insurance,
28 risk transfer, or risk retention, which is subject to the
29 jurisdiction of the commissioner.

30 (5) A plan established pursuant to chapter 509A for public
31 employees.

32 b. This section shall not apply to accident-only,
33 specified disease, short-term hospital or medical, hospital
34 confinement indemnity, credit, dental, vision, Medicare

35 supplement, long-term care, basic hospital and medical-surgical

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- 1 expense coverage as defined by the commissioner, disability
 2 income insurance coverage, coverage issued as a supplement
 3 to liability insurance, workers' compensation or similar
 4 insurance, or automobile medical payment insurance.>
 5 2. Title page, by striking lines 1 through 3 and
 6 inserting <An Act relating to the commissioner of insurance
 7 as the agent or attorney for service of process and as the
 8 regulator of insurance coverage for dispensing of prescription
 9 contraceptives, and resolving>
 10 3. By renumbering as necessary.

BENNETT of Linn

H-8060

- 1 Amend House File 2305 as follows:
 2 1. Page 1, by striking lines 7 and 8 and inserting:
 3 <b. "Health care services" means services for the diagnosis,
 4 prevention, treatment, cure, or relief of a health condition,
 5 illness, injury, disease, dental condition, or mental health
 6 condition.>
 7 2. By renumbering as necessary.

FORBES of Polk

H-8061

- 1 Amend House File 2236 as follows:
 2 1. Page 8, after line 4 by inserting:
 3 <Sec. ____ Section 514C.4, Code 2018, is amended to read as
 4 follows:
 5 **514C.4 Mandated coverage for mammography.**
 6 **1. As used in this section:**
 7 **a. "Health care professional" means the same as defined in**
 8 **section 514J.102.**
 9 **b. "Mammogram" means a radiographic image obtained using a**
 10 **procedure, including two-dimensional mammography or three-**
 11 **dimensional mammography, as recommended by a woman's health**
 12 **care professional.**
 13 **4. 2.a.** A policy or contract providing for third-party
 14 payment or prepayment of health or medical expenses shall
 15 provide minimum mammography examination coverage, including,
 16 but not limited to, the following classes of third-party
 17 payment provider contracts or policies delivered, issued for
 18 delivery, continued, or renewed in this state.
 19 (1) Individual or group accident and sickness insurance
 20 providing coverage on an expense-incurred basis.
 21 (2) An individual or group hospital or medical service

22 contract issued pursuant to chapter 509, 514, or 514A.
 23 (3) An individual or group health maintenance organization
 24 contract regulated under chapter 514B.
 25 (4) An individual or group Medicare supplemental policy,
 26 unless coverage pursuant to such policy is preempted by federal
 27 law.
 28 b. A long-term care policy or contract is specifically
 29 excluded from regulation under this section.
 30 ~~2. 3.~~ As used in this section, "*minimum mammography*
 31 *examination coverage*" means benefits which are better than or
 32 equal to the following minimum requirements:
 33 a. One baseline mammogram for any woman who is thirty-five
 34 through thirty-nine years of age, or more frequent mammograms
 35 if recommended by the woman's ~~physician~~ health care

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1 professional.
 2 b. A mammogram every two years for any woman who is
 3 forty through forty-nine years of age, or more frequently if
 4 recommended by the woman's ~~physician~~ health care professional.
 5 c. A mammogram every year for any woman who is fifty years
 6 of age or older, or more frequently if recommended by the
 7 woman's ~~physician~~ health care professional.
 8 ~~3. 4.~~ Mammogram benefits may be subject to any policy or
 9 contract provisions which apply generally to other services
 10 covered by the policy or contract.
 11 ~~4. 5.~~ The commissioner of insurance shall adopt rules under
 12 chapter 17A necessary to implement this section.
 13 Sec. ~~___~~.EFFECTIVE DATE. The section of this Act amending
 14 section 514C.4 takes effect upon enactment.
 15 Sec. ~~___~~.APPLICABILITY. The section of this Act amending
 16 section 514C.4 applies to the classes of third-party payment
 17 provider contracts or policies specified in section 514C.4, as
 18 amended by this Act, that are delivered, issued for delivery,
 19 continued, or renewed in this state on or after July 1, 2018.>
 20 2. Title page, by striking lines 1 through 4 and
 21 inserting <An Act relating to the commissioner of insurance
 22 as the agent or attorney for service of process and as the
 23 regulator of insurance coverage for mammograms, and resolving
 24 inconsistencies and including effective date and applicability
 25 provisions.>
 26 3. By renumbering, redesignating, and correcting internal
 27 references as necessary.

RUNNING-MARQUARDT of Linn

H-8062

1 Amend House Joint Resolution 2009 as follows:
 2 1. Page 1, line 9, after <scrutiny.> by inserting <However,
 3 a person shall be required to obtain a permit to carry weapons

4 and to complete in-person firearm safety training and to
 5 demonstrate proficiency with a firearm prior to issuance of
 6 an initial and each subsequent renewal of a permit to carry
 7 weapons.>

MASCHER of Johnson

H-8063

1 Amend House Joint Resolution 2009 as follows:
 2 1. Page 1, line 9, after <scrutiny.> by inserting <However,
 3 a person under twenty-one years of age is prohibited from
 4 possessing, receiving, or transporting or causing to be
 5 transported an assault weapon that is a semiautomatic firearm
 6 with a large magazine of ammunition that is designed and
 7 configured for rapid fire and combat use.>

MASCHER of Johnson

H-8064

1 Amend House File 2355 as follows:
 2 1. Page 4, lines 1 and 2, by striking <of inspections and
 3 appeals>
 4 2. Page 5, line 11, by striking <notify the department to>

SALMON of Black Hawk

H-8065

1 Amend House File 2300 as follows:
 2 1. Page 1, line 14, by striking <under chapters 147 and
 3 154C.> and inserting <pursuant to chapter 147 and section
 4 154C.3, subsection 1, paragraph "c".>
 5 2. Page 1, lines 30 and 31, by striking <under chapters 147
 6 and 154C.> and inserting <pursuant to chapter 147 and section
 7 154C.3, subsection 1, paragraph "c".>

BOSSMAN of Woodbury

H-8066

1 Amend the amendment, H-8058, to House File 2236 as follows:
 2 1. Page 1, after line 18 by inserting:
 3 <4. This section shall apply only to a life insurance policy
 4 or contract.>
 5 2. By renumbering as necessary.

STAED of Linn

H-8067

1 Amend House File 2400 as follows:

2 1. Page 1, line 17, by striking <person> and inserting
3 <person, in like circumstances,>

OLSON of Polk

H-8068

1 Amend House File 2400 as follows:

2 1. Page 1, line 18, after <person.> by inserting <This
3 subsection shall apply only if the motor vehicle operated by
4 the person sustained observable damage in the accident.>

OLSON of Polk

H-8069

1 Amend House File 2320 as follows:

2 1. Page 2, after line 34 by inserting:

3 <DIVISION ____
4 UNIFORM LIMITED PARTNERSHIP ACT
5 Sec. ____ Section 488.102, subsection 19, Code 2018, is
6 amended to read as follows:

7 19. "Registered office" means:

8 ~~a. With respect to a limited partnership, means the office~~
9 ~~that the a limited partnership or foreign limited partnership~~
10 ~~is required to designate and maintain under section 488.114.~~

11 ~~b. With respect to a foreign limited partnership, its~~
12 ~~principal office.~~

13 Sec. ____ Section 488.114, Code 2018, is amended to read as
14 follows:

15 **488.114 Registered office and registered agent for service**
16 **of process.**

17 1. A limited partnership ~~or foreign limited partnership~~
18 shall designate and continuously maintain in this state ~~both~~
19 all of the following:

20 ~~a. A registered office, which need not be a place of its~~
21 ~~activity in this state.~~

22 ~~b. A registered agent for service of process.~~

23 ~~2. A foreign limited partnership shall designate and~~
24 ~~continuously maintain in this state a registered agent for~~
25 ~~service of process.~~

26 ~~3. 2. A registered agent for service of process of a~~
27 ~~limited partnership or foreign limited partnership must be an~~
28 one of the following:

29 ~~a. An individual who is a resident of Iowa or other and~~
30 whose business office is identical with the registered office.

31 ~~b. A person other than an individual authorized to do~~
32 ~~business in this state whose business office is identical with~~
33 the registered office.

34 Sec. ____ Section 488.116, subsections 2 and 3, Code 2018,
35 are amended to read as follows:

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1 2. After receiving a statement of resignation, the
 2 secretary of state shall file it and mail a copy to the
 3 registered office of the limited partnership or foreign limited
 4 partnership ~~and another copy to the principal office if the~~
 5 ~~address of the office appears in the records of the secretary~~
 6 ~~of state and is different from the address of the registered~~
 7 ~~office.~~

8 3. A registered ~~agency agent~~ for service of process is
 9 terminated on the date on which the statement of resignation
 10 was filed with the secretary of state.

11 Sec. ____ Section 488.809, subsection 1, Code 2018, is
 12 amended to read as follows:

13 1. The secretary of state may dissolve a limited partnership
 14 administratively if the limited partnership does not, ~~within~~
 15 ~~sixty days after the due date~~, do any of the following:

16 a. Pay, ~~within sixty days after the due date~~, any fee, tax,
 17 or penalty under this chapter or other law due the secretary of
 18 state.

19 b. Deliver, ~~within sixty days after the due date~~, its
 20 biennial report ~~to the secretary of state required under~~
 21 ~~section 488.210.~~

22 c. Designate and continuously maintain a registered office
 23 and appoint and maintain a registered agent for service of
 24 process as required by section 488.114.

25 d. Deliver for filing a statement of a change under section
 26 488.115 within sixty days after the change has occurred.

27 Sec. ____ Section 488.902, subsection 2, Code 2018, is
 28 amended to read as follows:

29 2. A foreign limited partnership shall deliver with the
 30 completed application a certificate of existence or a record
 31 of similar import signed by the secretary of state or other
 32 official having custody of the foreign limited partnership's
 33 publicly filed records in the state or other jurisdiction under
 34 whose law the foreign limited partnership is organized. The
 35 certificate of existence or other record described in this

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1 subsection must be dated not earlier than ninety days prior to
 2 the date the application is filed with the secretary of state.

3 Sec. ____ Section 488.906, subsections 1 and 2, Code 2018,
 4 are amended to read as follows:

5 1. A certificate of authority of a foreign limited
 6 partnership to transact business in this state may be revoked
 7 by the secretary of state in the manner provided in subsections
 8 2 and 3 if the foreign limited partnership does not do any of
 9 the following:

10 a. Pay, within sixty days after the due date, any fee, tax
 11 or penalty under this chapter or other law due the secretary of
 12 state.

- 13 *b.* Deliver, within sixty days after the due date, its
 14 biennial report required under section 488.210.
- 15 *c.* ~~Appoint~~ Designate and continuously maintain a registered
 16 office and appoint and maintain a registered agent for service
 17 of process as required by section 488.114, ~~subsection 2.~~
- 18 *d.* Deliver for filing a statement of a change under section
 19 488.115 within ~~thirty~~ sixty days after a ~~the~~ change has
 20 occurred ~~in the name or address of the registered agent for~~
 21 ~~service of process.~~
- 22 2. In order to revoke a certificate of authority, the
 23 secretary of state must prepare, sign, and file a notice of
 24 revocation and send a copy to the foreign limited partnership's
 25 registered agent for service of process in this state, or
 26 if the foreign limited partnership does not appoint and
 27 maintain a proper agent in this state, to the foreign limited
 28 partnership's ~~registered~~ principal office. The notice must
 29 state all of the following:
- 30 *a.* The revocation's effective date, which must be at least
 31 sixty days after the date the secretary of state sends the
 32 copy.
- 33 *b.* The foreign limited partnership's ~~failures~~ failure
 34 to comply with subsection 1 which ~~are~~ is the reason for the
 35 revocation.

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- 1 Sec. ____ Section 488.1206, subsection 1, Code 2018, is
 2 amended by adding the following new paragraph:
 3 NEW PARAGRAPH. Op. Articles of merger\$50
 4 DIVISION ____
 5 IOWA BUSINESS CORPORATION ACT
- 6 Sec. ____ Section 490.122, subsection 1, paragraph b, Code
 7 2018, is amended by striking the paragraph.
 8 DIVISION ____
 9 IOWA BANKING ACT
- 10 Sec. ____ Section 524.1404, Code 2018, is amended to read
 11 as follows:
 12 **524.1404 Procedure after approval by the superintendent —**
 13 **issuance of certificate of merger.**
 14 If applicable state or federal laws require the approval of
 15 the merger by a federal or state agency, the superintendent may
 16 withhold delivery of the approved articles of merger until the
 17 superintendent receives notice of the decision of such agency.
 18 If the final approval of the agency is not given within six
 19 months of the superintendent's approval, the superintendent
 20 shall notify the parties to the plan that the approval of the
 21 superintendent has been rescinded for that reason. If such
 22 agency gives its approval, the superintendent shall deliver
 23 the articles of merger, with the superintendent's approval
 24 indicated on the articles, to the secretary of state, and shall
 25 notify the parties to the plan. The receipt of the approved
 26 articles of merger by the secretary of state constitutes filing

27 of the articles of merger with that office. The secretary of
 28 state shall record the articles of merger, and forward a copy
 29 of the articles shall be filed and recorded in to the office of
 30 the county recorder in each county in which the parties to the
 31 plan had previously maintained a principal place of business
 32 for filing. On the date upon which the merger is effective
 33 the secretary of state shall issue a certificate of merger and
 34 send the same to the resulting state bank and a copy of the
 35 certificate of merger to the superintendent.

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1 Sec. ____ Section 524.1506, subsection 1, Code 2018, is
 2 amended to read as follows:

3 1. The secretary of state shall record the articles of
 4 amendment, and forward a copy of the articles of amendment
 5 ~~shall be filed in to~~ the office of the county recorder in the
 6 county in which the state bank has its principal place of
 7 business for filing. The secretary of state upon the filing
 8 of the articles of amendment shall issue a certificate of
 9 amendment and send the same to the state bank.

10 DIVISION ____
 11 PROHIBITED UCC RECORD FILINGS

12 Sec. ____ Section 554.9516, subsection 2, Code 2018, is
 13 amended by adding the following new paragraph:
 14 NEW PARAGRAPH. *Of* in the case of an initial financing
 15 statement or an amendment, a secured party and a debtor appear
 16 to be the same party. The secretary of state may require the
 17 person filing the financing statement to furnish reasonable
 18 proof that the parties are not the same.

19 Sec. ____ NEW SECTION. **708.7A Persons unauthorized to file**
 20 **records.**

21 1. A person shall not cause to be communicated to the filing
 22 office, as defined in section 554.9102, for filing a record,
 23 also defined in that section, if all of the following apply:

24 a. The person is not authorized or otherwise entitled to
 25 file the record under section 554.9509.

26 b. The record is not related to an existing or anticipated
 27 transaction that is or will be governed by chapter 554, article
 28 9.

29 c. The record is presented for filing or filed with the
 30 intent to harass or defraud the person identified as a debtor
 31 in the record.

32 2. A person who commits a violation of this section is
 33 guilty of the following:

34 a. A simple misdemeanor for a first offense.

35 b. A serious misdemeanor for a second or subsequent

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1 offense.>

2 2. Title page, by striking lines 4 and 5 and inserting

3 <farming, the powers and duties of the office of secretary of
 4 state, the liability of corporate directors, and commercial
 5 transactions involving creditors, providing for fees, and
 6 providing for penalties.>
 7 3. By renumbering as necessary.

GUSTAFSON of Madison

H-8070

1 Amend House File 2343 as follows:
 2 1. Page 1, line 6, by striking <explicitly> and inserting
 3 <expressly>
 4 2. Page 1, line 7, by striking <explicitly> and inserting
 5 <expressly>
 6 3. Title page, line 3, by striking <explicit> and inserting
 7 <express>

OLSON of Polk

H-8071

1 Amend House File 2356 as follows:
 2 1. Page 5, after line 33 by inserting:
 3 < 9. Remedies. If a direct provider breaches a direct
 4 primary care agreement in violation of this section, a direct
 5 patient may do any of the following:
 6 a. File a complaint with the board of medicine.
 7 b. File a complaint with the attorney general's consumer
 8 protection division.
 9 c. Bring a civil action against the direct provider in a
 10 court of competent jurisdiction.>
 11 2. By renumbering as necessary.

WINCKLER of Scott

H-8072

1 Amend House File 2356 as follows:
 2 1. Page 5, after line 33 by inserting:
 3 <Sec. __.TERMINATION OF MEDICAID MANAGED CARE CONTRACTS
 4 — ALTERNATIVES FOR HEALTH CARE DELIVERY AND PAYMENT REFORM.
 5 1. The department of human services shall, upon the
 6 effective date of this Act, terminate the contracts executed
 7 with managed care organizations to administer the Iowa
 8 high quality health care initiative, in accordance with the
 9 termination provisions of the contract.
 10 2. The department shall continue to pursue other
 11 initiatives to realign the health care delivery system and
 12 provide holistic, integrated, patient-centered care while
 13 moving toward a value-based model of payment reform, including
 14 but not limited to the healthiest state initiative, the Iowa
 15 health and wellness plan created pursuant to chapter 249N, the

16 state innovation models initiative utilizing accountable care
17 organizations, and integrated health homes.

18 Sec. __.EFFECTIVE DATE. The following, being deemed of
19 immediate importance, takes effect upon enactment:

20 The section of this Act terminating Medicaid managed
21 contracts.>

22 2. Title page, by striking lines 1 through 4 and inserting
23 <An Act relating to the provision of certain health care
24 services through agreement between individuals and health care
25 providers and alternatives for health care delivery other
26 than through Medicaid managed care contracts, and including
27 effective date provisions.>

28 3. By renumbering as necessary.

HEDDENS of Story
ANDERSON of Polk

H-8073

1 Amend House File 2356 as follows:

2 1. Page 5, after line 33 by inserting:

3 <Sec. __.TERMINATION OF MEDICAID MANAGED CARE CONTRACTS
4 RELATIVE TO LONG-TERM SERVICES AND SUPPORTS POPULATION —
5 TRANSITION TO FEE-FOR-SERVICE. The department of human
6 services shall, upon the effective date of this Act, provide
7 written notice in accordance with the termination provisions
8 of the contract, to each managed care organization with whom
9 the department executed a contract to administer the Iowa
10 high quality health care initiative as established by the
11 department, to terminate such contracts as applicable to
12 the Medicaid long-term services and supports population,
13 following a sixty-day transition period. The department shall
14 transfer the long-term services and supports population to
15 fee-for-service program administration. The transition shall
16 be based on a transition plan developed by the department and
17 submitted to the council on human services and the medical
18 assistance advisory council for review. The department of
19 human services shall seek any Medicaid state plan or waiver
20 amendments necessary to complete the transition.

21 Sec. __.EFFECTIVE DATE. The following, being deemed of
22 immediate importance, takes effect upon enactment:

23 The section of this Act terminating Medicaid managed care
24 contracts relative to long-term services and supports.>

25 2. Title page, by striking lines 1 through 4 and inserting
26 <An Act relating to the provision of certain health care
27 services through agreements between individuals and health care
28 professionals for the provision of certain primary care health
29 services and through Medicaid managed care contracts for the
30 provision of long-term services and supports, and including

31 effective date provisions.>
32 3. By renumbering as necessary.

HEDDENS of Story
ANDERSON of Polk

H-8074

1 Amend House File 2391 as follows:
2 1. Page 1, lines 24 and 25, by striking <seventy-five
3 thousand dollars> and inserting <one hundred thousand dollars>
4 2. Page 1, lines 29 and 30, by striking <one hundred
5 thousand dollars> and inserting <one hundred fifty thousand
6 dollars>

FISHER of Tama

H-8075

1 Amend House File 2356 as follows:
2 1. Page 5, after line 33 by inserting:
3 <Sec. __.TERMINATION OF MEDICAID MANAGED CARE CONTRACTS
4 RELATIVE TO LONG-TERM SERVICES AND SUPPORTS POPULATION —
5 TRANSITION TO FEE-FOR-SERVICE. The department of human
6 services shall, upon the effective date of this Act, provide
7 written notice in accordance with the termination provisions
8 of the contract, to each managed care organization with whom
9 the department executed a contract to administer the Iowa
10 high quality health care initiative as established by the
11 department, to terminate such contracts as applicable to
12 the Medicaid long-term services and supports population,
13 following a sixty-day transition period. The department shall
14 transfer the long-term services and supports population to
15 fee-for-service program administration. The transition shall
16 be based on a transition plan developed by the department and
17 submitted to the council on human services and the medical
18 assistance advisory council for review.
19 Sec. __.INTEGRATED HEALTH HOME FOR PERSONS WITH SERIOUS
20 AND PERSISTENT MENTAL ILLNESS (SPMI INTEGRATED HEALTH
21 HOME). The department of human services shall adopt rules
22 pursuant to chapter 17A and shall amend existing Medicaid
23 managed care contracts to carve out SPMI integrated health
24 home services as specified in the Medicaid state plan
25 amendment, IA-16-013, from Medicaid managed care contracts and
26 instead provide SPMI integrated health home services through
27 the fee-for-service payment and delivery system.
28 Sec. __.RECALCULATION OF CERTAIN CAPITATION RATES
29 UNDER MEDICAID MANAGED CARE. For the fiscal year beginning
30 July 1, 2018, the department of human services shall utilize
31 Medicaid program claims paid data for the period beginning
32 April 1, 2015, and ending March 31, 2016, as base data to
33 develop and certify capitation rates for providers of home and

34 community-based intellectual disability waiver services under
 35 Medicaid managed care.

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1 Sec. __.MEDICAID MANAGED CARE OVERSIGHT. The department
 2 of human services shall amend the Medicaid managed care
 3 contracts and adopt rules pursuant to chapter 17A to provide
 4 that beginning July 1, 2018, all of the following shall apply:

5 1. MEMBER STATUS CHANGES.

6 a. A Medicaid managed care organization shall provide prior
 7 notice, in writing, to a member and to any affected provider,
 8 of any change in the status of the member at least thirty
 9 days prior to the effective date of the change in status. If
 10 notification is not received by the provider and the member
 11 continues to receive services from the provider, the Medicaid
 12 managed care organization shall reimburse the provider for
 13 services rendered.

14 b. If a member transfers from one managed care organization
 15 to another, the managed care organization from which the
 16 member is transferring shall forward the member's records to
 17 the managed care organization assuming the member's coverage
 18 at least thirty days prior to the managed care organization
 19 assuming such coverage.

20 c. If a provider provides services to a member for which the
 21 member is eligible while awaiting any necessary authorization,
 22 and the authorization is subsequently approved, the provider
 23 shall be reimbursed at the contracted rate for any services
 24 provided prior to receipt of the authorization.

25 2. DATA. Managed care organizations shall report to the
 26 department of human services not only the percentage of medical
 27 and pharmacy clean claims paid or denied within a certain
 28 time frame, but shall also report all of the following on a
 29 quarterly basis:

30 a. The total number of original medical and pharmacy claims
 31 submitted to the managed care organization.

32 b. The total number of original medical and pharmacy claims
 33 deemed rejected and the reason for rejection.

34 c. The total number of original medical and pharmacy claims
 35 deemed suspended, the reason for suspension, and the number of

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1 days from suspension to submission for processing.

2 d. The total number of original medical and pharmacy
 3 claims initially deemed either rejected or suspended that are
 4 subsequently deemed clean claims and paid, and the average
 5 number of days from initial submission to payment of the clean
 6 claim.

7 e. The total number of medical and pharmacy claims that
 8 are outstanding for thirty, sixty, ninety, one hundred eighty,
 9 or more than one hundred eighty days, and the total amount

10 attributable to these outstanding claims if paid as submitted.

11 f. The total amount requested as payment for all original
12 medical or pharmacy claims versus the total amount actually
13 paid as clean claims and the total amount of payment denied.

14 g. The total number of original medical and pharmacy claims
15 received, the number of such claims for which one hundred
16 percent of the requested amount was paid, the number of such
17 claims for which less than one hundred percent of the requested
18 amount was paid and the percentage actually paid, and the total
19 dollar amount of payments denied.

20 3. REIMBURSEMENT. For the fiscal year beginning July 1,
21 2018, Medicaid providers or services shall be reimbursed as
22 follows:

23 a. For fee-for-service claims, reimbursement shall be
24 calculated based on the methodology in effect on June 30, 2018,
25 for the respective provider or service.

26 b. For claims subject to a managed care contract:

27 (1) Reimbursement shall be based on the methodology
28 established by the managed care contract. However, any
29 reimbursement established under such contract shall not be
30 lower than the rate floor established by the department of
31 human services as the managed care organization provider or
32 service reimbursement rate floor for the respective provider or
33 service in effect on June 30, 2018.

34 (2) For any provider or service to which a reimbursement
35 increase is applicable for the fiscal year under state law,

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1 upon the effective date of the reimbursement increase, the
2 department of human services shall modify the rate floor in
3 effect on June 30, 2018, to reflect the increase specified.
4 Any reimbursement established under the managed care contract
5 shall not be lower than the rate floor as modified by the
6 department of human services to reflect the provider rate
7 increase specified.

8 (3) Any reimbursement established between the managed
9 care organization and the provider shall be in effect for at
10 least twelve months from the date established, unless the
11 reimbursement is increased. A reimbursement rate that is
12 negotiated and established above the rate floor shall not be
13 decreased from that amount for at least twelve months from the
14 date established.

15 4. PRIOR AUTHORIZATION.

16 a. Any change by a Medicaid managed care organization in a
17 requirement for prior authorization for a prescription drug or
18 service shall be preceded by the provision of sixty days' prior
19 written notice published on the managed care organization's
20 internet site and provided in writing to all affected members
21 and providers before the effective date of the change.

22 b. Each managed care organization shall post to the managed
23 care organization's internet site prior authorization data

24 including but not limited to statistics on approvals and
 25 denials of prior authorization requests by physician specialty,
 26 medication, test, procedure, or service, the indication
 27 offered, and if denied, the reason for denial.
 28 Sec. ____MEDICAID STATE PLAN OR WAIVER AMENDMENTS. The
 29 department of human services shall seek any Medicaid state plan
 30 or waiver amendments necessary to administer this Act.
 31 Sec. ____EFFECTIVE DATE. The following, being deemed of
 32 immediate importance, take effect upon enactment.
 33 1. The section of this Act related to termination of
 34 Medicaid managed care contracts relative to long-term services
 35 and supports populations.

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1 2. The section of this Act related to SPMI integrated health
 2 home services.
 3 3. The section of this Act related to the recalculation of
 4 certain capitation rates under Medicaid managed care.
 5 4. The section of this Act related to Medicaid managed care
 6 oversight.
 7 5. The section of this Act related to Medicaid state plan
 8 or waiver amendments.>
 9 2. Title page, by striking lines 1 through 4 and inserting
 10 <An Act relating to the provision of certain health care
 11 services, including through agreements between individuals and
 12 health care professionals for the provision of certain primary
 13 care health services, and including through the Medicaid
 14 program, and including effective date provisions.>
 15 3. By renumbering as necessary.

HEDDENS of Story
 ANDERSON of Polk

H-8076

1 Amend Senate File 2131, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 2, after line 16 by inserting:
 4 <Sec. ____ Section 299.4, subsection 1, Code 2018, is
 5 amended to read as follows:
 6 1. The parent, guardian, or legal custodian of a child who
 7 is of compulsory attendance age, who places the child under
 8 competent private instruction ~~under section 299A.2, independent~~
 9 private instruction, or private instruction under chapter
 10 299A, not in an accredited school or a home school assistance
 11 program operated by a school district or accredited nonpublic
 12 school, shall furnish ~~to the school district of residence a~~
 13 report in duplicate on forms provided in the form and manner
 14 prescribed by the public school district, to the district by
 15 September 1 of the school year in which the child will be under
 16 competent private instruction, independent private instruction,

17 or private instruction. The secretary shall retain and file
 18 one copy and forward the other copy to the district's area
 19 education agency. The report shall state the name and age of
 20 the child, the period of time during which the child has been
 21 or will be under competent private instruction, independent
 22 private instruction, or private instruction for the year, an
 23 outline of the course of study, texts used, and the name and
 24 address of the instructor. The parent, guardian, or legal
 25 custodian of a child, who is placing the child under competent
 26 private instruction, independent private instruction, or
 27 private instruction for the first time, shall also provide the
 28 district with evidence that the child has had the immunizations
 29 required under section 139A.8, and, if the child is elementary
 30 school age, a blood lead test in accordance with section
 31 135.105D. The term "*outline of course of study*" shall include
 32 subjects covered, lesson plans, and time spent on the areas of
 33 study.

34 Sec. ____ Section 299A.1, subsection 2, paragraph b,
 35 subparagraph (6), Code 2018, is amended to read as follows:

PAGE 2

1 (6) Provides, ~~upon written request from the superintendent~~
 2 ~~of to the superintendent of the school district in which the~~
 3 ~~independent private instruction is provided, or from the~~
 4 ~~director of the department of education of residence of each~~
 5 ~~student enrolled~~, a report identifying the primary instructor,
 6 location, name of the authority responsible for the independent
 7 private instruction, and the names of the students enrolled.

8 Sec. ____ Section 299A.3, Code 2018, is amended to read as
 9 follows:

10 **299A.3 Private instruction by nonlicensed person.**

11 1. A parent, guardian, or legal custodian of a child of
 12 compulsory attendance age providing private instruction to
 13 the child shall complete and send, in a timely manner, the
 14 report required under section 299.4 to the school district of
 15 residence of the child.

16 2. A parent, guardian, or legal custodian of a child of
 17 compulsory attendance age providing private instruction to the
 18 child may meet all either of the following requirements:

19 1. Complete and send, in a timely manner, the report
 20 required under section 299.4 to the school district of
 21 residence of the child.

22 2. a. Ensure that the child under the parent's, guardian's,
 23 or legal custodian's instruction is evaluated annually to
 24 determine whether the child is making adequate progress, as
 25 defined in section 299A.6.

26 3. b. Ensure that the results of the child's annual
 27 evaluation are reported to the school district of residence
 28 of the child and to the department of education by a date not
 29 later than June 30 of each year in which the child is under
 30 private instruction.

31 Sec. .NEW SECTION. **299A.13 Health and safety visits.**
 32 1. The board of directors of a school district shall
 33 conduct quarterly home visits to check on the health and safety
 34 of children located within the district who are receiving
 35 competent private instruction, independent private instruction,

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1 or private instruction.
 2 2. Home visits shall take place in the child's residence
 3 with the consent of the parent, guardian, or legal custodian
 4 and an interview or observation of the child may be conducted.
 5 If permission to enter the home to interview or observe the
 6 child is refused, the juvenile court or district court upon
 7 a showing of probable cause may authorize the person making
 8 the home visit to enter the home and interview or observe the
 9 child.
 10 3. The superintendent of the school district shall
 11 designate a person to carry out the duties assigned to the
 12 school district under this section. The person designated
 13 shall be a mandatory reporter, as defined in section 232.69,
 14 subsection 1. The school district may collaborate with the
 15 department of human services, including the local, county, and
 16 service area officers of the department, in conducting the home
 17 visits required under this section.
 18 4. The department of education, in collaboration with the
 19 department of human services, shall provide guidelines to
 20 school districts for implementation of this section.
 21 Sec. .STATE MANDATE FUNDING SPECIFIED. In accordance
 22 with section 25B.2, subsection 3, the state cost of requiring
 23 compliance with any state mandate included in this Act shall
 24 be paid by a school district from state school foundation aid
 25 received by the school district under section 257.16. This
 26 specification of the payment of the state cost shall be deemed
 27 to meet all of the state funding-related requirements of
 28 section 25B.2, subsection 3, and no additional state funding
 29 shall be necessary for the full implementation of this Act
 30 by and enforcement of this Act against all affected school
 31 districts.>
 32 2. Title page, by striking lines 1 through 4 and inserting
 33 <An Act relating to private instruction by expanding the Iowa
 34 learning online initiative to include students receiving
 35 private instruction and by adding reporting requirements and

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1 health and safety visits for children placed under private
 2 instruction, and providing for fees.>
 3 3. By renumbering as necessary.

H-8077

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 2, by striking lines 4 through 7 and inserting
4 <used only for the purpose of administering this section and
5 shall be established so as not to exceed the budgeted cost of
6 administering this section to the extent not covered by the
7 moneys appropriated in subsection 9. Providing professional>

MASCHER of Johnson

H-8078

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 11, after <299A.3> by inserting <if the
4 initiative has the capacity>

MASCHER of Johnson

H-8079

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 13, after <agencies> by inserting
4 <community colleges, accredited private institutions,
5 institutions of higher learning governed by the state board of
6 regents, the department of cultural affairs,>

7 2. Title page, line 1, by striking <to>

8 3. Title page, by striking lines 2 and 3 and inserting <and>

MASCHER of Johnson

H-8080

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 32, after <coursework.> by inserting <A
4 student receiving private instruction under chapter 299A as
5 described in subsection 1, who completes coursework under
6 the initiative, shall be evaluated by the school district of
7 residence using an assessment approved by the department of
8 education for the subject area in which the student completed
9 coursework,>

MASCHER of Johnson

H-8081

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and

4 inserting:

5 <Section 1. Section 261E.8, subsection 2, Code 2018, is
6 amended to read as follows:

7 2. Students from accredited nonpublic schools and students
8 receiving competent private instruction ~~or independent private~~
9 ~~instruction~~ under chapter 299A may access the program through
10 the school district in which the accredited nonpublic school or
11 private institution is located.

12 Sec. 2. Section 299.1, subsection 1, Code 2018, is amended
13 to read as follows:

14 1. Except as provided in section 299.2, the parent,
15 guardian, or legal or actual custodian of a child who is of
16 compulsory attendance age shall cause the child to attend some
17 public school or an accredited nonpublic school, or place
18 the child under competent private instruction ~~or independent~~
19 ~~private instruction~~ in accordance with the provisions of
20 chapter 299A, during a school year, as defined under section
21 279.10.

22 Sec. 3. Section 299.1B, Code 2018, is amended to read as
23 follows:

24 **299.1B Failure to attend — driver's license.**

25 A person who is of compulsory attendance age who does
26 ~~not meet the requirements for an exception under section~~
27 ~~299.2, who~~ does not attend a public school or an accredited
28 nonpublic school, who is not receiving competent private
29 instruction ~~or independent private instruction~~ in accordance
30 with the provisions of chapter 299A, and who does not attend
31 an alternative school or adult education classes, shall not
32 receive an intermediate or full driver's license until age
33 eighteen.

34 Sec. 4. Section 299.4, subsection 1, Code 2018, is amended
35 to read as follows:

PAGE 2

1 1. The parent, guardian, or legal custodian of a child who
2 is of compulsory attendance age, who places the child under
3 competent private instruction under either section 299A.2 or
4 299A.3, not in an accredited school or a home school assistance
5 program operated by a school district or accredited nonpublic
6 school, shall furnish a report in duplicate on forms provided
7 by the public school district, to the district by September 1
8 of the school year in which the child will be under competent
9 private instruction. The secretary shall retain and file
10 one copy and forward the other copy to the district's area
11 education agency. The report shall state the name and age of
12 the child, the period of time during which the child has been
13 or will be under competent private instruction for the year,
14 an outline of the course of study, texts used, and the name
15 and address of the instructor. The parent, guardian, or legal
16 custodian of a child, who is placing the child under competent
17 private instruction for the first time, shall also provide the

18 district with evidence that the child has had the immunizations
 19 required under section 139A.8, and, if the child is elementary
 20 school age, a blood lead test in accordance with section
 21 135.105D. The term *“outline of course of study”* shall include
 22 subjects covered, lesson plans, and time spent on the areas of
 23 study.

24 Sec. 5. Section 299.6A, subsection 1, Code 2018, is amended
 25 to read as follows:

26 1. In lieu of a criminal proceeding under section 299.6,
 27 a county attorney may bring a civil action against a parent,
 28 guardian, or legal or actual custodian of a child who is of
 29 compulsory attendance age, has not completed educational
 30 requirements, and is truant, if the parent, guardian, or legal
 31 or actual custodian has failed to cause the child to attend a
 32 public school or an accredited nonpublic school, or to place
 33 the child under competent private instruction ~~or independent~~
 34 ~~private instruction~~ in the manner provided in this chapter. If
 35 the court finds that the parent, guardian, or legal or actual

PAGE 3

1 custodian has failed to cause the child to attend as required
 2 in this section, the court shall assess a civil penalty of not
 3 less than one hundred but not more than one thousand dollars
 4 for each violation established.

5 Sec. 6. Section 299.8, Code 2018, is amended to read as
 6 follows:

7 **299.8 “Truant” defined.**

8 Any child of compulsory attendance age who fails to attend
 9 school as provided in this chapter, or as required by the
 10 school board’s or school governing body’s attendance policy,
 11 or who fails to attend competent private instruction ~~or~~
 12 ~~independent private instruction~~ under chapter 299A, without
 13 reasonable excuse for the absence, shall be deemed to be a
 14 truant. A finding that a child is truant, however, shall not
 15 by itself mean that the child is a child in need of assistance
 16 within the meaning of chapter 232 and shall not be the sole
 17 basis for a child in need of assistance petition.

18 Sec. 7. Section 299.11, subsection 1, Code 2018, is amended
 19 to read as follows:

20 1. The truancy officer may take into custody without
 21 warrant any apparently truant child and place the child
 22 in the charge of the school principal, or the principal’s
 23 designee, designated by the board of directors of the school
 24 district in which the child resides, or in the charge of any
 25 nonpublic school or any authority providing competent private
 26 instruction ~~or independent private instruction~~ as defined in
 27 section 299A.1, designated by the parent, guardian, or legal
 28 or actual custodian; but if it is other than a public school,
 29 the instruction and maintenance of the child shall be without
 30 expense to the school district. If a child is taken into
 31 custody under this section, the truancy officer shall make

32 every reasonable attempt to immediately notify the parent,
 33 guardian, or legal or actual custodian of the child's location.
 34 Sec. 8. Section 299.12, subsection 2, Code 2018, is amended
 35 to read as follows:

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1 2. This section is not applicable to a child who is
 2 receiving competent private instruction ~~or independent private~~
 3 ~~instruction~~ in accordance with the requirements of chapter
 4 299A. If a child is not in compliance with the attendance
 5 requirements established under section 299.1, and has not
 6 completed educational requirements through the sixth grade,
 7 and the school has used every means available to assure the
 8 child does attend, the school truancy officer shall contact
 9 the child's parent, guardian, or legal or actual custodian to
 10 participate in an attendance cooperation meeting. The parties
 11 to the attendance cooperation meeting may include the child
 12 and shall include the child's parent, guardian, or legal or
 13 actual custodian and the school truancy officer. The school
 14 truancy officer contacting the participants in the attendance
 15 cooperation meeting may invite other school officials, a
 16 designee of the juvenile court, the county attorney or the
 17 county attorney's designee, or other persons deemed appropriate
 18 to participate in the attendance cooperation meeting.

19 Sec. 9. Section 299A.1, Code 2018, is amended to read as
 20 follows:

21 **299A.1 ~~Competent private~~ Private instruction and independent**
 22 **private instruction.**

23 1. The parent, guardian, or legal custodian of a child of
 24 compulsory attendance age who places the child under private
 25 instruction shall provide, unless otherwise exempted, competent
 26 private instruction ~~or independent private instruction~~ in
 27 accordance with this chapter. A parent, guardian, or legal
 28 custodian of a child of compulsory attendance age who places
 29 the child under private instruction which is not competent
 30 private instruction ~~or independent private instruction~~,
 31 or otherwise fails to comply with the requirements of this
 32 chapter, is subject to the provisions of sections 299.1 through
 33 299.4 and the penalties provided in section 299.6.

34 2. For purposes of this chapter and chapter 299:

35 a. "*Competent private instruction*" means private instruction

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1 provided on a daily basis for at least one hundred forty-eight
 2 days during a school year, to be met by attendance for at
 3 least thirty-seven days each school quarter, by or under the
 4 supervision of a licensed practitioner in the manner provided
 5 under section 299A.2, or a parent, guardian, or legal custodian
 6 under section 299A.3, which results in the student making
 7 adequate progress.

8 *b. "Independent private instruction" means instruction that*
 9 *meets the following criteria:*
 10 (1) *Is not accredited.*
 11 (2) *Enrolls not more than four unrelated students.*
 12 (3) *Does not charge tuition, fees, or other remuneration for*
 13 *instruction.*
 14 (4) *Provides private or religious based instruction as its*
 15 *primary purpose.*
 16 (5) *Provides enrolled students with instruction in*
 17 *mathematics, reading and language arts, science, and social*
 18 *studies.*
 19 (6) *Provides, upon written request from the superintendent*
 20 *of the school district in which the independent private*
 21 *instruction is provided, or from the director of the department*
 22 *of education, a report identifying the primary instructor,*
 23 *location, name of the authority responsible for the independent*
 24 *private instruction, and the names of the students enrolled.*
 25 (7) *Is not a nonpublic school and does not provide competent*
 26 *private instruction as defined in this subsection.*
 27 (8) *Is exempt from all state statutes and administrative*
 28 *rules applicable to a school, a school board, or a school*
 29 *district, except as otherwise provided in chapter 299 and this*
 30 *chapter.*
 31 *e. b. "Private instruction" means instruction using a*
 32 *plan and a course of study in a setting other than a public or*
 33 *organized accredited nonpublic school.*
 34 Sec. 10. Section 299A.3, unnumbered paragraph 1, Code 2018,
 35 is amended to read as follows:

PAGE 6

1 A parent, guardian, or legal custodian of a child of
 2 compulsory attendance age providing competent private
 3 instruction to the child ~~may~~ shall meet all of the following
 4 requirements:
 5 Sec. 11. Section 299A.11, Code 2018, is amended to read as
 6 follows:
 7 **299A.11 Student records confidential.**
 8 Notwithstanding any provision of law or rule to the
 9 contrary, personal information in records regarding a child
 10 receiving competent private instruction ~~or independent private~~
 11 ~~instruction~~ pursuant to this chapter, which are maintained,
 12 created, collected, or assembled by or for a state agency,
 13 shall be kept confidential in the same manner as personal
 14 information in student records maintained, created, collected,
 15 or assembled by or for a school corporation or educational
 16 institution in accordance with section 22.7, subsection 1.
 17 Sec. 12. Section 321.178, subsection 1, paragraph c, Code
 18 2018, is amended to read as follows:
 19 c. Every public school district in Iowa shall offer
 20 or make available to all students residing in the school
 21 district, or Iowa students attending a nonpublic school or

22 receiving competent private instruction ~~or independent private~~
23 ~~instruction as defined in section 299A.1~~, in the district, an
24 approved course in driver education. The receiving district
25 shall be the school district responsible for making driver
26 education available to a student participating in open
27 enrollment under section 282.18. The courses may be offered
28 at sites other than at the public school, including nonpublic
29 school facilities within the public school districts. An
30 approved course offered during the summer months, on Saturdays,
31 after regular school hours during the regular terms or partly
32 in one term or summer vacation period and partly in the
33 succeeding term or summer vacation period, as the case may
34 be, shall satisfy the requirements of this section to the
35 same extent as an approved course offered during the regular

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1 school hours of the school term. A student who successfully
2 completes and obtains certification in an approved course in
3 driver education or an approved course in motorcycle education
4 may, upon proof of such fact, be excused from any field test
5 which the student would otherwise be required to take in
6 demonstrating the student's ability to operate a motor vehicle.
7 A student shall not be excused from any field test if a parent,
8 guardian, or instructor requests that a test be administered.
9 A final field test prior to a student's completion of an
10 approved course shall be administered by a person qualified
11 as a classroom driver education instructor and certified to
12 provide street and highway driving instruction. A person
13 qualified as a classroom driver education instructor but not
14 certified to provide street and highway driving instruction
15 may administer the final field test if accompanied by another
16 person qualified to provide street and highway driving
17 instruction.

18 Sec. 13. Section 321.180B, subsection 2, paragraph a, Code
19 2018, is amended to read as follows:

20 a. The department may issue an intermediate driver's
21 license to a person sixteen or seventeen years of age who
22 possesses an instruction permit issued under subsection 1 or
23 a comparable instruction permit issued by another state for a
24 minimum of twelve months immediately preceding application,
25 and who presents an affidavit signed by a parent, guardian, or
26 custodian on a form to be provided by the department that the
27 permittee has accumulated a total of twenty hours of street
28 or highway driving of which two hours were conducted after
29 sunset and before sunrise and the street or highway driving was
30 with the permittee's parent, guardian, custodian, instructor,
31 a person certified by the department, or a person at least
32 twenty-five years of age who had written permission from a
33 parent, guardian, or custodian to accompany the permittee, and
34 whose driving privileges have not been suspended, revoked,
35 or barred under this chapter or chapter 321J during, and who

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1 has been accident and violation free continuously for, the
 2 six-month period immediately preceding the application for an
 3 intermediate license. An applicant for an intermediate license
 4 must meet the requirements of section 321.186, including
 5 satisfactory completion of driver education as required in
 6 section 321.178 ~~or 321.178A~~, and payment of the required
 7 license fee before an intermediate license will be issued. A
 8 person issued an intermediate license must limit the number of
 9 passengers in the motor vehicle when the intermediate licensee
 10 is operating the motor vehicle to the number of passenger
 11 safety belts. In addition, unless waived by the person's
 12 parent or guardian at the time the intermediate license is
 13 issued, for the first six months following issuance of the
 14 license, a person issued an intermediate license must limit the
 15 number of unrelated minor passengers in the motor vehicle when
 16 the intermediate licensee is operating the motor vehicle to
 17 one, except when the intermediate licensee is accompanied in
 18 accordance with subsection 1. For purposes of this subsection,
 19 "*unrelated minor passenger*" means a passenger who is under
 20 eighteen years of age and who is not a sibling of the driver, a
 21 step sibling of the driver, or a child who resides in the same
 22 household as the driver. The department shall prescribe the
 23 form for waiver of the six-month restriction on unrelated minor
 24 passengers, which may be in an electronic format, and shall
 25 designate characteristics for the intermediate license that
 26 shall distinguish between an intermediate license that includes
 27 the six-month restriction on unrelated minor passengers and
 28 an intermediate license that does not include the six-month
 29 restriction on unrelated minor passengers.
 30 Sec. 14.REPEAL. Section 321.178A, Code 2018, is repealed.>
 31 2. Title page, by striking lines 1 through 4 and inserting
 32 <An Act relating to private instruction.>

MASCHER of Johnson

H-8082

1 Amend House File 2351 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <DIVISION I
 4 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN>
 5 2. Page 3, line 22, by striking <This> and inserting
 6 <Division I of this>
 7 3. Page 3, line 24, by striking <This> and inserting
 8 <Division I of this>
 9 4. Page 3, after line 25 by inserting:
 10 <DIVISION II
 11 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED

12 IN THE LINE OF DUTY

13 Sec. ____ Section 261.87, subsection 1, Code 2018, is

14 amended by adding the following new paragraph:

15 NEW PARAGRAPH. *Od. "Eligible surviving-child student"* means
 16 a qualified student who is under the age of twenty-six, or
 17 under the age of thirty if the student is a veteran who is
 18 eligible for benefits, or has exhausted the benefits, under the
 19 federal Post-9/11 Veterans Educational Assistance Act of 2008;
 20 who is not a convicted felon as defined in section 910.15; and
 21 who meets any of the following criteria:

22 (1) Is the child of a peace officer, as defined in section
 23 97A.1, who was killed in the line of duty as determined by
 24 the board of trustees of the Iowa department of public safety
 25 peace officers' retirement, accident, and disability system in
 26 accordance with section 97A.6, subsection 16.

27 (2) Is the child of a police officer or a fire fighter, as
 28 each is defined in section 411.1, who was killed in the line of
 29 duty as determined by the statewide fire and police retirement
 30 system in accordance with section 411.6, subsection 15.

31 (3) Is the child of a sheriff or deputy sheriff as each is
 32 defined in section 97B.49C, who was killed in the line of duty
 33 as determined by the Iowa public employees' retirement system
 34 in accordance with section 97B.52, subsection 2.

35 (4) Is the child of a fire fighter or police officer

PAGE 2

1 included under section 97B.49B, who was killed in the line of
 2 duty as determined by the Iowa public employees' retirement
 3 system in accordance with section 97B.52, subsection 2.

4 Sec. ____ Section 261.87, subsection 3, Code 2018, is
 5 amended to read as follows:

6 3. *Priority for scholarship awards.* Priority for
 7 scholarships under this section shall be given to eligible
 8 foster care students, then to eligible surviving-child
 9 students, who meet the eligibility criteria under subsection
 10 2. Following distribution to students who meet the eligibility
 11 criteria under subsection 2, the commission may establish
 12 priority for awarding scholarships using any moneys that remain
 13 in the all Iowa opportunity scholarship fund.>

14 5. Title page, line 1, by striking <continuation of health
 15 care coverage> and inserting <benefits>

16 6. Title page, line 2, by striking <peace officers> and
 17 inserting <certain peace officers and fire fighters>

18 7. By renumbering as necessary.

SEXTON of Calhoun

H-8083

1 Amend House File 2408 as follows:

2 1. Page 2, after line 14 by inserting:

3 < ____. Comply with the provisions of this section, if the
4 grocery store regularly offers for sale and sells specialty
5 eggs to consumers participating in the federal food program at
6 the same or lower price than the price that comparable grocery
7 stores in the same locality regularly offer for sale and sell
8 conventional eggs to all consumers.>
9 2. By renumbering, redesignating, and correcting internal
10 references as necessary.

ISENHART of Dubuque

H-8084

1 Amend the amendment, H-8071, to House File 2356 as follows:
2 1. Page 1, line 5, by striking <do any of> and inserting <do
3 but not be limited to>

WINCKLER of Scott

H-8085

1 Amend House File 2280 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 256.16, subsection 1, paragraph a,
5 subparagraph (2), Code 2018, is amended to read as follows:
6 (2) Administer, prior to a student's completion of the
7 practitioner preparation program and subject to the director's
8 approval, subject assessments designed by a nationally
9 recognized testing service that measure pedagogy and knowledge
10 of at least one subject area; or, a valid and reliable
11 subject-area-specific, performance-based assessment for
12 preservice teacher candidates, centered on student learning.
13 A student shall not successfully complete the program unless
14 the scores achieved by the student achieves scores on the
15 assessments administered under this subparagraph are at or
16 above the twenty-fifth percentile nationally on the assessments
17 administered pursuant to this subparagraph minimum passing
18 scores set by the department. To determine the minimum passing
19 scores for purposes of this subparagraph, the department
20 shall use the recommended scores which are determined by the
21 assessment provider through a validated standard setting
22 process.>
23 2. Title page, by striking lines 1 through 3 and inserting
24 <An Act relating to assessment scores set by the department
25 of education for successful completion of a practitioner
26 preparation program and for initial licensure.>

R. SMITH of Black Hawk

H-8086

1 Amend Senate File 2131, as amended, passed, and reprinted by

2 the Senate, as follows:
 3 1. Page 1, line 1, after <1,> by inserting <3,>
 4 2. Page 1, after line 14 by inserting:
 5 <3. Coursework offered under the initiative shall be taught
 6 by a teacher licensed under chapter 272 who has completed an
 7 online-learning-for-Iowa-educators-professional-
 8 development project offered by area education agencies, a
 9 teacher preservice program, or comparable coursework. The
 10 teacher providing the initiative coursework shall conduct
 11 two parent-teacher conferences with the parent or guardian
 12 of each student who is receiving initiative coursework from
 13 the teacher. The first parent-teacher conference shall take
 14 place mid-semester and the last parent-teacher conference shall
 15 take place as soon as reasonably possible after the course is
 16 completed. Parent-teacher conferences may take place in person
 17 or by video conference.>
 18 3. Title page, line 3, after <or private instruction>
 19 by inserting <, requiring initiative teachers to conduct
 20 parent-teacher conferences,>

BRECKENRIDGE of Jasper

H-8087

1 Amend Senate File 2131, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1.DEPARTMENT OF EDUCATION — ONLINE LEARNING
 6 WORKING GROUP.
 7 1. The department of education shall, in collaboration with
 8 this state's community colleges and area education agencies,
 9 convene a working group to identify effective means by which
 10 students may access educational instruction and content online
 11 and shall recommend partnerships between existing providers of
 12 rigorous and high-quality online coursework.
 13 2. The working group shall submit its findings and
 14 recommendations to the general assembly by October 15, 2018.
 15 Sec. 2.EFFECTIVE DATE. This Act, being deemed of immediate
 16 importance, takes effect upon enactment.>
 17 2. Title page, by striking lines 1 through 4 and inserting
 18 <An Act directing the department of education to convene an
 19 online learning working group and including effective date
 20 provisions.>

WINCKLER of Scott

H-8088

1 Amend House File 2308 as follows:
 2 1. Page 2, lines 25 and 26, by striking <This subsection
 3 shall not be construed to prohibit> and inserting

- 4 <Notwithstanding the prohibitions in this subsection,>
 5 2. Page 2, lines 28 and 29, by striking <from assigning
 6 a multi-stage manufactured> and inserting <may assign an
 7 incomplete motor>
 8 3. Page 2, line 32, by striking <multi-stage manufactured>
 9 and inserting <incomplete motor>
 10 4. Page 2, line 34, after <fees.> by inserting <A licensed
 11 dealer in new motor vehicles may also assign an incomplete
 12 motor vehicle's manufacturer's statement of origin in the same
 13 manner as provided in this subsection.>
 14 5. Page 3, line 4, by striking <a multi-stage manufactured>
 15 and inserting <an incomplete motor>
 16 6. Page 3, line 8, by striking <multi-stage manufactured>
 17 and inserting <incomplete motor>

BEST of Carroll

H-8089

- 1 Amend House File 2394 as follows:
 2 1. Page 3, by striking lines 2 through 4 and inserting:
 3 <g. Any land, building, conveyance, or other temporary or
 4 permanent structure whether publicly or privately owned, that
 5 contains, houses, supports, or is appurtenant to any critical
 6 infrastructure as described in paragraphs "a" through "f" of
 7 this subsection.>
 8 2. Page 3, line 5, by striking <3.> and inserting <2.>
 9 3. Page 3, line 8, by striking <property>
 10 4. Page 3, line 12, after <duties.> by inserting <In
 11 addition, "critical infrastructure sabotage" does not include
 12 any condition or activity related to the production of farm
 13 products as defined in section 554.9102, including but not
 14 limited to the discharge of agricultural stormwater; the
 15 construction or use of soil or water quality conservation
 16 practices or structures; the preparation of agricultural land
 17 and the raising, harvesting, drying, or storage of agricultural
 18 crops; the application of fertilizer as defined in section
 19 200.3, pesticides as defined in section 206.2, or manure
 20 as defined in section 459.102; the installation and use of
 21 agricultural drainage tile and systems; the construction,
 22 operation, or management of an animal feeding operation as
 23 defined in section 459.102; and the care, feeding, or watering
 24 of livestock.>
 25 5. Title page, line 2, by striking <property>

WORTHAN of Buena Vista

H-8090

- 1 Amend Senate File 2131, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 1, line 1, after <5,> by inserting <6,>

- 4 2. Page 1, after line 32 by inserting:
 5 <6.a. Coursework offered under the initiative shall be
 6 rigorous and high quality, and the department shall annually
 7 evaluate the quality of the courses and ensure that coursework
 8 is aligned with the state's core curriculum and core content
 9 requirements and standards, as well as national standards
 10 of quality for online courses issued by an internationally
 11 recognized association for kindergarten through grade twelve
 12 online learning.
 13 b. The initiative shall provide annually to the department
 14 the scores for each student taking coursework through the
 15 initiative who is receiving private instruction under chapter
 16 299A as described in subsection 1 and the department shall
 17 compile the data in an aggregate form that does not identify
 18 individual students and shall provide a detailed analysis of
 19 course completion rates. The department shall submit the
 20 analysis and the department's findings and recommendations in
 21 a report to the general assembly by January 15 annually. For
 22 each report beyond the initial report, the department shall
 23 include in its analysis a comparison of the most current year's
 24 data with the data collected and analyzed in prior years.>
 25 3. Title page, line 3, after <or private instruction> by
 26 inserting <, providing for an annual report,>

MASCHER of Johnson

H-8091

- 1 Amend House File 2377 as follows:
 2 1. Page 1, line 29, before <shall> by inserting <or the
 3 prescribing practitioner's designated agent>
 4 2. Page 1, line 29, after <database> by inserting <prior to
 5 issuing an opioid prescription>
 6 3. Page 2, line 35, by striking <twenty-four>
 7 4. Page 3, line 1, by striking <hours> and inserting <one
 8 business day>
 9 5. Page 4, line 32, by striking <program> and inserting
 10 <department, and the department to report to the program,>
 11 6. By striking page 5, line 7, through page 12, line 27, and
 12 inserting:
 13 <Sec. ___. Section 124.308, Code 2018, is amended by
 14 striking the section and inserting in lieu thereof the
 15 following:
 16 **124.308 Prescriptions.**
 17 1. Except when dispensed directly by a practitioner to an
 18 ultimate user, a prescription drug as defined in section 155A.3
 19 that is a controlled substance shall not be dispensed without
 20 a prescription, unless such prescription is authorized by a
 21 practitioner and complies with this section, section 155A.27,
 22 applicable federal law and regulation, and rules of the board.
 23 2.a. Beginning January 1, 2020, every prescription issued
 24 for a controlled substance shall be transmitted electronically

25 as an electronic prescription pursuant to the requirements in
26 subsection 2, paragraph “b”, unless exempt under subsection 2,
27 paragraph “c”.

28 *b.* Except for prescriptions identified in paragraph “c”,
29 a prescription that is transmitted pursuant to paragraph “a”
30 shall be transmitted to a pharmacy by a practitioner or the
31 practitioner’s authorized agent in compliance with federal
32 law and regulation for electronic prescriptions of controlled
33 substances. The practitioner’s electronic prescription system
34 and the receiving pharmacy’s dispensing system shall comply
35 with federal law and regulation for electronic prescriptions of

PAGE 2

1 controlled substances.

2 *c.* Paragraph “b” shall not apply to any of the following:

3 (1) A prescription for a patient residing in a nursing home,
4 long-term care facility, correctional facility, or jail.

5 (2) A prescription authorized by a licensed veterinarian.

6 (3) A prescription dispensed by a department of veterans
7 affairs pharmacy.

8 (4) A prescription requiring information that makes
9 electronic submission impractical, such as complicated or
10 lengthy directions for use or attachments.

11 (5) A prescription for a compounded preparation containing
12 two or more components.

13 (6) A prescription issued in response to a public health
14 emergency in a situation where a non-patient specific
15 prescription would be permitted.

16 (7) A prescription issued pursuant to an established and
17 valid collaborative practice agreement, standing order, or drug
18 research protocol.

19 (8) A prescription issued during a temporary technical
20 or electronic failure at the practitioner’s or pharmacy’s
21 location, provided that a prescription issued pursuant to
22 this subparagraph shall indicate on the prescription that the
23 practitioner or pharmacy is experiencing a temporary technical
24 or electronic failure.

25 (9) A prescription issued in an emergency situation
26 pursuant to federal law and regulation rules of the board.

27 *d.* A practitioner, as defined in section 124.101, subsection
28 27, paragraph “a”, who violates paragraph “a” is subject
29 to an administrative penalty of two hundred fifty dollars
30 per violation, up to a maximum of five thousand dollars per
31 calendar year. The assessment of an administrative penalty
32 pursuant to this paragraph by the appropriate licensing board
33 of the practitioner alleged to have violated paragraph “a”
34 shall not be considered a disciplinary action or reported
35 as discipline. A practitioner may appeal the assessment of

PAGE 3

1 an administrative penalty pursuant to this paragraph, which
2 shall initiate a contested case proceeding under chapter
3 17A. A penalty collected pursuant to this paragraph shall be
4 deposited into the drug information program fund established
5 pursuant to section 124.557. The board shall be notified
6 of any administrative penalties assessed by the appropriate
7 professional licensing board and deposited into the drug
8 information program fund under this paragraph.

9 e. A pharmacist who receives a written, oral, or facsimile
10 prescription shall not be required to verify that the
11 prescription is subject to an exception under paragraph "c"
12 and may dispense a prescription drug pursuant to an otherwise
13 valid written, oral, or facsimile prescription. However, a
14 pharmacist shall exercise professional judgment in identifying
15 and reporting suspected violations of this section to the
16 board or the appropriate professional licensing board of the
17 practitioner.

18 3. A prescription issued prior to January 1, 2020, or a
19 prescription that is exempt from the electronic prescription
20 requirement in subsection 2, paragraph "c", may be transmitted
21 by a practitioner or the practitioner's authorized agent to a
22 pharmacy in any of the following ways:

23 a. Electronically, if transmitted in accordance with
24 the requirements for electronic prescriptions pursuant to
25 subsection 2.

26 b. By facsimile for a schedule III, IV, or V controlled
27 substance, or for a schedule II controlled substance only
28 pursuant to federal law and regulation and rules of the board.

29 c. Orally for a schedule III, IV, or V controlled substance,
30 or for a schedule II controlled substance only in an emergency
31 situation pursuant to federal regulation and rules of the
32 board.

33 d. By providing an original signed prescription to a patient
34 or a patient's authorized representative.

35 4. If permitted by federal law and in accordance with

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1 federal requirements, an electronic or facsimile prescription
2 shall serve as the original signed prescription and the
3 practitioner shall not provide a patient, a patient's
4 authorized representative, or the dispensing pharmacy with a
5 signed, written prescription. An original signed prescription
6 shall be retained for a minimum of two years from the date of
7 the latest dispensing or refill of the prescription.

8 5. A prescription for a schedule II controlled substance
9 shall not be filled more than six months after the date
10 of issuance. A prescription for a schedule II controlled
11 substance shall not be refilled.

12 6. A prescription for a schedule III, IV, or V controlled

13 substance shall not be filled or refilled more than six months
14 after the date on which the prescription was issued or be
15 refilled more than five times.

16 7. A controlled substance shall not be distributed or
17 dispensed other than for a medical purpose.

18 8. A practitioner, medical group, or pharmacy that is unable
19 to timely comply with the electronic prescribing requirements
20 in subsection 2, paragraph "b", may petition the board for an
21 exemption from the requirements based upon economic hardship,
22 technical limitations that the practitioner, medical group, or
23 pharmacy cannot control, or other exceptional circumstances.
24 The board shall adopt rules establishing the form and specific
25 information to be included in a request for an exemption
26 and the specific criteria to be considered by the board in
27 determining whether to approve a request for an exemption. The
28 board may approve an exemption for a period of time determined
29 by the board not to exceed one year from the date of approval,
30 and may be renewed annually upon request subject to board
31 approval.

32 Sec. ____ . Section 155A.27, Code 2018, is amended by striking
33 the section and inserting in lieu thereof the following:

34 **155A.27 Requirements for prescription.**

35 1. Except when dispensed directly by a prescriber to an

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1 ultimate user, a prescription drug shall not be dispensed
2 without a prescription, authorized by a prescriber, and based
3 on a valid patient-prescriber relationship.
4 2.a. Beginning January 1, 2020, every prescription issued
5 for a prescription drug shall be transmitted electronically as
6 an electronic prescription to a pharmacy by a prescriber or the
7 prescriber's authorized agent unless exempt under paragraph
8 "b".
9 b. Paragraph "a" shall not apply to any of the following:
10 (1) A prescription for a patient residing in a nursing home,
11 long-term care facility, correctional facility, or jail.
12 (2) A prescription authorized by a licensed veterinarian.
13 (3) A prescription for a device.
14 (4) A prescription dispensed by a department of veterans
15 affairs pharmacy.
16 (5) A prescription requiring information that makes
17 electronic transmission impractical, such as complicated or
18 lengthy directions for use or attachments.
19 (6) A prescription for a compounded preparation containing
20 two or more components.
21 (7) A prescription issued in response to a public health
22 emergency in a situation where a non-patient specific
23 prescription would be permitted.
24 (8) A prescription issued for an opioid antagonist pursuant
25 to section 135.190 or a prescription issued for epinephrine
26 pursuant to section 135.185.

27 (9) A prescription issued during a temporary technical
28 or electronic failure at the location of the prescriber or
29 pharmacy, provided that a prescription issued pursuant to
30 this subparagraph shall indicate on the prescription that the
31 prescriber or pharmacy is experiencing a temporary technical
32 or electronic failure.

33 (10) A prescription issued pursuant to an established and
34 valid collaborative practice agreement, standing order, or drug
35 research protocol.

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1 (11) A prescription issued in an emergency situation
2 pursuant to federal law and regulation and rules of the board.
3 c. A practitioner, as defined in section 124.101, subsection
4 27, paragraph "a", who violates paragraph "a" is subject
5 to an administrative penalty of two hundred fifty dollars
6 per violation, up to a maximum of five thousand dollars per
7 calendar year. The assessment of an administrative penalty
8 pursuant to this paragraph by the appropriate licensing board
9 of the practitioner alleged to have violated paragraph "a"

10 shall not be considered a disciplinary action or reported
11 as discipline. A practitioner may appeal the assessment of
12 an administrative penalty pursuant to this paragraph, which
13 shall initiate a contested case proceeding under chapter
14 17A. A penalty collected pursuant to this paragraph shall be
15 deposited into the drug information program fund established
16 pursuant to section 124.557. The board shall be notified
17 of any administrative penalties assessed by the appropriate
18 professional licensing board and deposited into the drug
19 information program fund under this paragraph.

20 d. A pharmacist who receives a written, oral, or facsimile
21 prescription shall not be required to verify that the
22 prescription is subject to an exception under paragraph "b"
23 and may dispense a prescription drug pursuant to an otherwise
24 valid written, oral, or facsimile prescription. However, a
25 pharmacist shall exercise professional judgment in identifying
26 and reporting suspected violations of this section to the
27 board or the appropriate professional licensing board of the
28 prescriber.

29 3. For prescriptions issued prior to January 1, 2020,
30 or for prescriptions exempt from the electronic prescription
31 requirement in subsection 2, paragraph "b", a prescriber or the
32 prescriber's authorized agent may transmit a prescription for a
33 prescription drug to a pharmacy by any of the following means:

- 34 a. Electronically.
35 b. By facsimile.

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- 1 c. Orally.
2 d. By providing an original signed prescription to a patient

3 or a patient's authorized representative.

4 4. A prescription shall be issued in compliance with
5 this subsection. Regardless of the means of transmission, a
6 prescriber shall provide verbal verification of a prescription
7 upon request of the pharmacy.

8 a. If written, electronic, or facsimile, each prescription
9 shall contain all of the following:

10 (1) The date of issue.

11 (2) The name and address of the patient for whom, or the
12 owner of the animal for which, the drug is dispensed.

13 (3) The name, strength, and quantity of the drug prescribed.

14 (4) The directions for use of the drug, medicine, or device
15 prescribed.

16 (5) The name, address, and written or electronic signature
17 of the prescriber issuing the prescription.

18 (6) The federal drug enforcement administration number, if
19 required under chapter 124.

20 b. If electronic, each prescription shall comply with all
21 of the following:

22 (1) The prescriber shall ensure that the electronic system
23 used to transmit the electronic prescription has adequate
24 security and safeguards designed to prevent and detect
25 unauthorized access, modification, or manipulation of the
26 prescription.

27 (2) Notwithstanding paragraph "a", subparagraph (5),
28 for prescriptions that are not controlled substances, if
29 transmitted by an authorized agent, the electronic prescription
30 shall not require the written or electronic signature of the
31 prescriber issuing the prescription.

32 c. If facsimile, in addition to the requirements of
33 paragraph "a", each prescription shall contain all of the
34 following:

35 (1) The identification number of the facsimile machine

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1 which is used to transmit the prescription.

2 (2) The date and time of transmission of the prescription.

3 (3) The name, address, telephone number, and facsimile
4 number of the pharmacy to which the prescription is being
5 transmitted.

6 d. If oral, the prescriber issuing the prescription
7 shall furnish the same information required for a written
8 prescription, except for the written signature and address
9 of the prescriber. Upon receipt of an oral prescription,
10 the recipient shall promptly reduce the oral prescription to
11 a written format by recording the information required in a
12 written prescription.

13 e. A prescription transmitted by electronic, facsimile,
14 or oral means by a prescriber's agent shall also include
15 the name and title of the prescriber's agent completing the
16 transmission.

17 5. An electronic, facsimile, or oral prescription
 18 shall serve as the original signed prescription and the
 19 prescriber shall not provide a patient, a patient's authorized
 20 representative, or the dispensing pharmacist with a signed
 21 written prescription. Prescription records shall be retained
 22 pursuant to rules of the board.

23 6. This section shall not prohibit a pharmacist,
 24 in exercising the pharmacist's professional judgment,
 25 from dispensing, at one time, additional quantities of a
 26 prescription drug, with the exception of a prescription drug
 27 that is a controlled substance as defined in section 124.101,
 28 up to the total number of dosage units authorized by the
 29 prescriber on the original prescription and any refills of
 30 the prescription, not to exceed a ninety-day supply of the
 31 prescription drug as specified on the prescription.

32 7. A prescriber, medical group, institution, or pharmacy
 33 that is unable to timely comply with the electronic prescribing
 34 requirements in subsection 2, paragraph "a", may petition
 35 the board for an exemption from the requirements based upon

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1 economic hardship, technical limitations that the prescriber,
 2 medical group, institution, or pharmacy cannot control, or
 3 other exceptional circumstances. The board shall adopt rules
 4 establishing the form and specific information to be included
 5 in a request for an exemption and the specific criteria to be
 6 considered by the board in determining whether to approve a
 7 request for an exemption. The board may approve an exemption
 8 for a period of time determined by the board, not to exceed one
 9 year from the date of approval, and may be annually renewed
 10 subject to board approval upon request.

11 Sec. ____ Section 155A.29, subsection 4, Code 2018, is
 12 amended to read as follows:

13 4. An authorization to refill a prescription drug order ~~may~~
 14 shall be transmitted to a pharmacist pharmacy by a prescriber
 15 or the prescriber's authorized agent through word of mouth,
 16 note, telephone, facsimile, or other means of communication
 17 initiated by or directed by the practitioner. The transmission
 18 shall include the information required pursuant to section
 19 155A.27, except that prescription drug orders for controlled
 20 substances shall be transmitted pursuant to section 124.308,
 21 and, if not transmitted directly by the practitioner,
 22 shall identify by also include the name and title of the
 23 practitioner's agent completing the transmission.>

24 7. Page 13, by striking line 14.

25 8. Page 21, after line 25 by inserting:

26 <(f) Medical assistance was not sought during the execution
 27 of an arrest warrant, search warrant, or other lawful search.>

28 9. Page 22, by striking lines 10 through 12 and inserting:

29 < 5. Nothing in this section shall do any of the following:

30 a. Preclude or prevent an investigation by law enforcement

31 of the drug-related overdose where medical assistance was
 32 provided.
 33 *b.* Be construed to limit or bar the use or admissibility
 34 of any evidence or information obtained in connection with the
 35 investigation of the drug-related overdose in the investigation

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1 or prosecution of other crimes or violations which do not
 2 qualify for immunity under this section and which are committed
 3 by any person, including the overdose patient or overdose
 4 reporter.
 5 *c.* Preclude the investigation or prosecution of any person
 6 on the basis of evidence obtained from sources other than the
 7 specific drug-related overdose where medical assistance was
 8 provided.>
 9 10. By renumbering, redesignating, and correcting internal
 10 references as necessary.

LUNDGREN of Dubuque

H-8092

1 Amend House File 2440 as follows:
 2 1. Page 3, after line 28 by inserting:
 3 <Sec. .NEW SECTION. **466B.26 Management of assets.**
 4 In order to carry out its duties as described in section
 5 466B.23, a watershed management authority may manage any assets
 6 provided to it from any person, including but not limited to
 7 any of the following:
 8 1. Gifts, bequests, or in-kind contributions.
 9 2. Investment securities or negotiable instruments.
 10 3. Moneys from public or private sources, including but
 11 not limited to moneys appropriated or allocated from a local
 12 government or political subdivision, this state, another state,
 13 or the United States.>
 14 2. Page 6, after line 7 by inserting:
 15 <(1) In financing a program using moneys appropriated in
 16 this section, the division shall provide a preference to a
 17 program administered by or in coordination with a watershed
 18 management authority created pursuant to section 466B.22.
 19 (2) The division shall prepare a plan for each financed
 20 program, that identifies the watershed or geographic region
 21 where the program is to be administered, the name of any other
 22 person administering the program, the objective of the program,
 23 and the measurement of short-term and long-term goals required
 24 to achieve that objective. The program's success in achieving
 25 the objective of each program shall be measured using the same
 26 performance metric that measures the success in achieving the
 27 objectives of all programs described in this paragraph "a".
 28 Not later than January 10 of each year the division shall
 29 deliver to the governor and general assembly a report that

30 describes and evaluates the implementation of each plan. The
 31 division shall submit its final report describing the last
 32 program financed during the close of the fiscal year beginning
 33 July 1, 2019.>
 34 3. Page 6, after line 14 by inserting:
 35 <Sec. __. 2015 Iowa Acts, chapter 132, section 18, is

PAGE 2

1 amended by adding the following new subsection:
 2 NEW SUBSECTION. 3A.a. The division of soil conservation
 3 and water quality or Iowa state university of science and
 4 technology shall not enter into or extend a contract with a
 5 person to administer a program or project described in this
 6 section, until all moneys used to finance that program or
 7 project that have been expended to date by the person under
 8 the contract have been documented. The division or university
 9 which is a party to the contract shall prepare a statement
 10 verifying that the person has complied with the terms and
 11 conditions of the contract.

12 b. Before entering into or extending a contract, the
 13 division shall require the contractor to prepare and submit a
 14 report describing the projects financed under subsection 3.
 15 The report shall state in detail all of the following:

16 (1) The amount expended for each project and the purpose of
 17 the expenditure.

18 (2) The expected and actual outcomes achieved by a project.

19 (3) The methods used to track progress in reducing the
 20 transport of nutrients to surface water from nonpoint sources
 21 within a watershed.

22 (4) An analysis of the impact of in-field and edge-of-field
 23 agricultural practices in the aggregate.

24 (5) The measurement of any other impacts associated with
 25 agricultural production.

26 (6) The recommended development of any system to be
 27 implemented within a broader range of watersheds that measures
 28 existing agricultural practices and the impact of different
 29 nutrient management decisions.

30 c. The report shall be posted on the department’s internet
 31 site and delivered to all of the following:

32 (1) The chairpersons and ranking members of the agriculture
 33 committees of the senate and house of representatives.

34 (2) The legislative services agency.

35 Sec. __. 2015 Iowa Acts, chapter 132, section 18,

PAGE 3

1 subsection 4, is amended by striking the subsection.>

2 4. By renumbering as necessary.

H-8093

1 Amend House File 2377 as follows:

2 1. Page 15, before line 18 by inserting:

3 <Sec. .**NEW SECTION. 135.192 Substance abuse treatment**
4 **programs.**

5 1. The general assembly declares that it is the public
6 policy of the state to increase the percentage of people
7 receiving treatment for substance use disorders from ten
8 percent to eighty percent and to ensure that all effective
9 evidence-based substance use disorder treatments are covered
10 by the authorization and payment policies of all public and
11 private payers.

12 2. The department, in consultation with the Iowa poison
13 control center and the Iowa health care collaborative, shall
14 develop addiction, addiction treatment, overdose, and overdose
15 death surveillance metrics, standards, and requirements for
16 data collected through county boards of health.

17 Sec. .**NEW SECTION. 137.105A County boards of health —**
18 **opioid epidemic response.**

19 Each county board, in cooperation with a mental health
20 and disability services region created in section 331.389
21 and substance abuse programs licensed pursuant to chapter
22 125, shall include opioid abuse and substance use disorder
23 treatment in each community health needs assessment and each
24 county health improvement plan shall include provisions related
25 to prevention, harm reduction, and treatment associated with
26 substance use disorders.>

27 2. Page 15, before line 30 by inserting:

28 <Sec. .**NEW SECTION. 272C.2C Continuing education**
29 **minimum requirements — emergency physicians.**

30 The board of medicine shall adopt rules requiring emergency
31 physicians to receive training on mental illness and substance
32 use disorders as a condition of license renewal.

33 Sec. . Section 356.5, Code 2018, is amended by adding the
34 following new subsection:

35 .**NEW SUBSECTION. 7.** Ensure that each prisoner currently

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1 receiving medication-assisted treatment for a substance use
2 disorder under the direction of a licensed health care provider
3 shall continue to receive such treatment while the prisoner is
4 confined in jail.

5 Sec. .**SUBSTANCE USE DISORDER TREATMENT — INSURANCE**
6 **COVERAGE.** The insurance division of the department of commerce
7 shall prepare a comprehensive report on insurance coverage
8 and payment policies for services related to the treatment of
9 substance use disorders by commercial insurance companies and
10 self-funded plans, as well as data on current utilization and
11 expenditures associated with such benefit plans. The report
12 shall be submitted to the general assembly by January 1, 2019.

13 Sec. __.OPIOIDS — USAGE — SUBSTANCE USE TREATMENT.

14 1. The department of administrative services shall, in
15 cooperation with any health insurance plans or health plan
16 administrators of benefits extended to state employees, create
17 a model benefit plan designed to incentivize or otherwise
18 promote the effective, evidence-based prescription and
19 use of opioids to members receiving benefits through state
20 plans, document the current use of benefits for substance
21 use disorders, identify gaps or unnecessary restrictions in
22 coverage, and expand access to evidence-based treatments and
23 therapies, including nonpharmacological treatments.

24 2. The department of human services and the Iowa
25 Medicaid enterprise shall, in cooperation with managed care
26 organizations, design benefit plans to incentivize or otherwise
27 promote the effective, evidence-based prescription and use
28 of opioids to members receiving benefits through managed
29 care organizations, document the current use of benefits
30 for substance use disorders, identify gaps or unnecessary
31 restrictions in coverage, and expand access to evidence-based
32 treatment and therapies, including nonpharmacological
33 treatments, by application for a Medicaid waiver if necessary.
34 Sec. __.PROFESSIONAL LICENSING BOARDS — SUBSTANCE
35 USE TREATMENT PROGRAMS. Each professional licensing board

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1 designated in section 147.13 shall consider the adoption of
2 a program modeled after the Iowa nurse assistance program
3 and the Iowa physician health program for the identification
4 and treatment of licensees who may be at risk for license
5 discipline due to a substance use disorder.>

6 3. Title page, line 1, after <to> by inserting <protocols,
7 practices, treatment, and training relating to prescription
8 drugs, including>

9 4. By renumbering as necessary.

ISENHART of Dubuque

H-8094

1 Amend House File 2422 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1.**NEW SECTION. 206.31A Pesticide use for weed**
4 **control or eradication — restrictions.**

5 1. A pesticide used for weed control or eradication shall be
6 applied in a manner that does not cause unreasonable adverse
7 environmental effects as provided in 7 U.S.C. §136 et seq.

8 2. A person shall not use, store, handle, distribute,
9 or dispose of a pesticide described in subsection 1, or an
10 associated rinsate, pesticide container, pesticide treated seed
11 or pesticide application equipment, unless the person does all
12 of the following:

- 13 a. Complies with applicable labeling instructions required
 14 by the United States environmental protection agency in
 15 accordance with 7 U.S.C. §136 et seq.
- 16 b. Acts in a manner that does not endanger human health,
 17 damage agricultural commodities, agricultural food, livestock,
 18 fish or wildlife, bee colonies, or other pollinators.
- 19 c. Acts in a manner that does not cause an unreasonable
 20 adverse effect to the environment.
- 21 3. In applying a pesticide described in subsection 1, a
 22 person must designate the boundaries of a specific area where
 23 the pesticide is to be applied. The person shall not apply the
 24 pesticide outside those boundaries.>

ISENHART of Dubuque

H-8095

- 1 Amend House File 2422 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1.<NEW SECTION. **206.14A Liability for apiary**
 4 **damage.**
 5 A person applying a pesticide used for weed control or
 6 eradication on real property that the person owns or leases
 7 shall be liable for damages causing the loss of bees, including
 8 the loss of a bee colony, located as part of an apiary as
 9 defined in section 160.1A on land owned or leased by another
 10 person. The person alleging damages must be currently
 11 registered with an entity that registers persons who own or
 12 operate apiaries and such entity must be recognized by the
 13 department.>
- 14 2. Title page, line 2, after <weeds,> by inserting
 15 <providing for civil liability,>

ISENHART of Dubuque

H-8096

- 1 Amend Senate File 2131, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 1, line 1, by striking <5,> and inserting <4, 6,>
 4 2. By striking page 1, line 3, through page 2, line 14, and
 5 inserting:
 6 <1. An Iowa learning online initiative is established
 7 ~~within the department~~ under the authority of the area education
 8 agencies to partner with school districts and accredited
 9 nonpublic schools to provide distance education to high school
 10 students statewide. The ~~department~~ area education agencies
 11 shall utilize a variety of content repositories, including
 12 those maintained by ~~the area education agencies~~ and the public
 13 broadcasting division, in administering the initiative.
- 14 4. Each participating school district and accredited
 15 nonpublic school shall submit its online curricula ~~to~~ for

16 ~~review by the department for review~~ area education agency in
 17 which it is located. Each participating school district and
 18 accredited nonpublic school shall include in its comprehensive
 19 school improvement plan submitted pursuant to section 256.7,
 20 subsection 21, a list and description of the online coursework
 21 offered by the district or school.

22 6. Coursework offered under the initiative shall be
 23 rigorous and high quality, and the ~~department~~ area education
 24 agencies shall annually evaluate the quality of the courses
 25 and ensure that coursework is aligned with the state's core
 26 curriculum and core content requirements and standards, as well
 27 as national standards of quality for online courses issued by
 28 an internationally recognized association for kindergarten
 29 through grade twelve online learning.

30 8. The ~~department~~ area education agencies shall establish
 31 fees payable by school districts and accredited nonpublic
 32 schools participating in the initiative. Fees collected
 33 pursuant to this subsection are appropriated to the department
 34 which shall allocate the moneys to the area education agencies
 35 to be used only for the purpose of administering this section

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1 and shall be established so as not to exceed the budgeted cost
 2 of administering this section ~~to the extent not covered by the~~
 3 ~~moneys appropriated in subsection 9.~~ Providing professional
 4 development necessary to prepare teachers to participate in the
 5 initiative shall be considered a cost of administering this
 6 section. Notwithstanding section 8.33, fees collected by the
 7 ~~department~~ area education agencies that remain unencumbered or
 8 unobligated at the close of the fiscal year shall not revert
 9 but shall remain available for expenditure for the purpose of
 10 expanding coursework offered under the initiative in subsequent
 11 fiscal years.>

12 3. Title page, by striking lines 1 through 3 and inserting
 13 <An Act placing the Iowa learning online initiative under
 14 the authority of the area education agencies, making an
 15 appropriation, and>

WINCKLER of Scott

H-8097

1 Amend House File 2364 as follows:

2 1. Page 2, after line 3 by inserting:

3 <4. A health benefit plan sponsored by a nonprofit
 4 agricultural organization for the nonprofit agricultural
 5 organization's members shall not deny, exclude, or limit
 6 benefits for a member based on a member's preexisting
 7 condition.>

M. SMITH of Marshall

H-8098

1 Amend House File 2377 as follows:

2 1. Page 22, before line 13 by inserting:

3 <DIVISION ____

4 MISCELLANEOUS PROVISIONS

5 Sec. ____ Section 124.414, subsection 1, paragraph b, Code
6 2018, is amended to read as follows:

7 *b. "Drug paraphernalia" does not include hypodermic needles*
8 *or syringes if manufactured, delivered, sold, or possessed for*
9 *a lawful purpose. "Lawful purpose" includes hypodermic needles*
10 *or syringes delivered, sold, or possessed through an approved*
11 *syringe services program established pursuant to rules adopted*
12 *by the department of public health.*

13 Sec. ____ Section 135.19, Code 2018, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 3. The department shall establish and
16 implement a syringe services program for persons who unlawfully
17 inject controlled substances and who are at an increased risk
18 for exposure to hepatitis B or hepatitis C. The program
19 shall include hepatitis C testing, referrals for treatment
20 of substance use disorders, and training for opioid overdose
21 prevention and reversal.

22 Sec. ____ Section 141A.3, subsection 2, Code 2018, is
23 amended by adding the following new paragraph:

24 NEW PARAGRAPH. *g.* Establish and implement a syringe
25 services program for persons who unlawfully inject controlled
26 substances and who are at risk of HIV infection. The program
27 shall include testing for HIV infection, referrals for
28 treatment of substance use disorders, and training in opioid
29 overdose prevention and reversal.>

30 2. Title page, line 1, after <to> by inserting <the
31 regulation of substance use, including>

32 3. By renumbering as necessary.

M. SMITH of Marshall

H-8099

1 Amend House File 2377 as follows:

2 1. Page 15, after line 29 by inserting:

3 <Sec. ____ **NEW SECTION. 272C.2C Continuing education**
4 **minimum requirements — medicine and surgery and osteopathic**
5 **medicine and surgery, nursing, and dentistry.**

6 The board of medicine shall establish rules requiring a
7 person licensed pursuant to section 148.3 or 152.6, or chapter
8 153, to receive continuing education credits regarding the
9 United States centers for disease control and prevention
10 guideline for prescribing opioids for chronic pain, including
11 recommendations on limitations on dosages and the length
12 of prescriptions, risk factors for abuse, and nonopioid and

- 13 nonpharmacologic therapy options, as a condition of license
 14 renewal.>
 15 2. Title page, line 1, after <to> by inserting <the
 16 regulation of certain substances, including>
 17 3. By renumbering as necessary.

HEATON of Henry

H-8100

- 1 Amend the amendment, H-8099, to House File 2377 as follows:
 2 1. Page 1, by striking lines 6 through 8 and inserting:
 3 <The board of medicine, board of nursing, and board
 4 of dentistry shall establish rules requiring a person
 5 licensed pursuant to section 148.3 or 152.6, or chapter 153,
 6 respectively, to receive continuing education credits regarding
 7 the>

HEATON of Henry

H-8101

- 1 Amend House Joint Resolution 2009 as follows:
 2 1. Page 1, line 4, by striking <section> and inserting
 3 <sections>
 4 2. Page 1, after line 9 by inserting:
 5 <**Right to health care.** SEC. 1B. It is the obligation
 6 of the state to ensure that every resident has access to
 7 cost-effective, medically appropriate, and affordable health
 8 care as a fundamental right.>
 9 3. Title page, by striking lines 1 through 3 and inserting
 10 <A Joint Resolution proposing amendments to the Constitution of
 11 the State of Iowa relating to establishing certain rights.>

MASCHER of Johnson

H-8102

- 1 Amend House File 2456 as follows:
 2 1. Page 1, line 33, by striking <shall> and inserting <may>
 3 2. Page 2, after line 18 by inserting:
 4 <Sec. __. Section 229.1, subsection 20, Code 2018, is
 5 amended by adding the following new paragraph:
 6 NEW PARAGRAPH. *d.* Has a history of lack of compliance with
 7 treatment and any of the following apply:
 8 (1) Lack of compliance has been a significant factor in the
 9 need for emergency hospitalization.
 10 (2) Lack of compliance has resulted in one or more acts of
 11 serious physical injury to the person's self or others or an
 12 attempt to physically injure the person's self or others.>
 13 3. Page 3, after line 13 by inserting:
 14 <Sec. __. Section 229.13, subsection 7, paragraph a,
 15 subparagraphs (2) and (3), Code 2018, are amended to read as

16 follows:

17 (2) Once in protective custody, the respondent shall be
18 given the choice of being treated by the appropriate medication
19 which may include the use of oral medicine or injectable
20 antipsychotic medicine by a mental health professional acting
21 within the scope of the mental health professional's practice
22 at an outpatient psychiatric clinic, hospital, or other
23 suitable facility or being placed for treatment under the
24 care of a hospital or other suitable facility for inpatient
25 treatment.

26 (3) If the respondent chooses to be treated by the
27 appropriate medication which may include the use of oral
28 medicine or injectable antipsychotic medicine but the mental
29 health professional acting within the scope of the mental
30 health professional's practice at the outpatient psychiatric
31 clinic, hospital, or other suitable facility determines that
32 the respondent's behavior continues to be likely to result in
33 physical injury to the respondent's self or others if allowed
34 to continue, the mental health professional acting within
35 the scope of the mental health professional's practice shall

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1 comply with the provisions of subparagraph (1) and, following
2 notice and hearing held in accordance with the procedures in
3 section 229.12, the court may order the respondent treated
4 on an inpatient basis requiring full-time custody, care, and
5 treatment in a hospital until such time as the chief medical
6 officer reports that the respondent does not require further
7 treatment for serious mental impairment or has indicated the
8 respondent is willing to submit to treatment on another basis
9 as ordered by the court.>

10 4. Page 6, by striking lines 20 and 21 and inserting:
11 < b. The rules relating to the availability of intensive
12 mental health services specified in subsection 5 shall specify
13 that the minimum amount of services provided statewide shall
14 be as follows:>

15 5. Page 6, line 25, by striking <statewide>

16 6. Page 7, line 28, by striking <To the extent> and
17 inserting <Provided that>

18 7. By striking page 11, line 14, through page 16, line 34,
19 and inserting:

20 <Sec. __.PROGRAM IMPLEMENTATION — ADOPTION OF
21 ADMINISTRATIVE RULES.

22 1. The department of human services shall submit a notice
23 of intended action to the administrative rules coordinator and
24 the Iowa administrative code editor pursuant to section 17A.4,
25 subsection 1, paragraph "a", not later than August 15, 2018,
26 for the adoption of rules to implement the standards of core
27 services specified in this Act.

28 2. The provisions of this Act and rules adopted in
29 accordance with this Act shall minimize any delay or disruption

30 of services or plans for the implementation of such services in
31 effect on July 1, 2018.

32 3. The rules adopted by the department relating to access
33 centers shall provide for all of the following:

34 a. The access centers shall meet all of the following
35 criteria:

PAGE 3

1 (1) An access center shall serve individuals with a
2 serious mental health or substance use disorder need who are
3 otherwise medically stable, who are not in need of an inpatient
4 psychiatric level of care, and who do not have alternative,
5 safe, effective services immediately available.

6 (2) Access center services shall be provided on a no reject,
7 no ejection basis.

8 (3) An access center shall accept and serve individuals who
9 are court-ordered to participate in mental health or substance
10 use disorder treatment.

11 (4) Access center providers shall be accredited under 441
12 IAC 24 to provide crisis stabilization residential services and
13 shall be licensed to provide subacute mental health services
14 as defined in section 135G.1.

15 (5) An access center shall be licensed as a substance abuse
16 treatment program pursuant to chapter 125 or have a cooperative
17 agreement with and immediate access to licensed substance abuse
18 treatment services or medical care that incorporates withdrawal
19 management.

20 (6) An access center shall provide or arrange for the
21 provision of necessary physical health services.

22 (7) An access center shall provide navigation and warm
23 handoffs to the next service provider as well as linkages to
24 needed services including housing, employment, and shelter
25 services.

26 b. The rules shall include access center designation
27 criteria and standards that allow and encourage multiple mental
28 health and disability services regions to strategically locate
29 and share access center services including bill-back provisions
30 to provide for reimbursement of a region when the resident of
31 another region utilizes an access center or other non-Medicaid
32 covered services located in that region.

33 4. The department shall establish uniform, statewide
34 standards for assertive community treatment based on national
35 accreditation standards, including allowances for nationally

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1 recognized small team standards. The statewide standards
2 shall require that assertive teams meet fidelity to nationally
3 recognized practice standards as determined by an independent
4 review of each team that includes peer review. The department
5 shall ensure that Medicaid managed care organization

6 utilization management requirements do not exceed the standards
 7 developed by the department.
 8 5. The rules relating to intensive residential service
 9 homes shall provide for all of the following:
 10 a. That an intensive residential service home be enrolled
 11 with the Iowa Medicaid enterprise as a section 1915(i) home and
 12 community-based services habilitation waiver or intellectual
 13 disability waiver-supported community living provider.
 14 b. That an intensive residential service home have adequate
 15 staffing that includes appropriate specialty training including
 16 applied behavior analysis as appropriate.
 17 c. Coordination with the individual's clinical mental
 18 health and physical health treatment.
 19 d. Be licensed as a substance abuse treatment program
 20 pursuant to chapter 125 or have a cooperative agreement
 21 with and timely access to licensed substance abuse treatment
 22 services for those with a demonstrated need.
 23 e. Accept court-ordered commitments.
 24 f. Have a no reject, no eject policy for an individual
 25 referred to the home based on the severity of the individual's
 26 mental health or co-occurring needs.
 27 g. Be smaller in size, preferably providing services to
 28 four or fewer individuals and no more than sixteen individuals,
 29 and be located in a neighborhood setting to maximize community
 30 integration and natural supports.
 31 h. The department of human services shall provide guidance
 32 for objective utilization review criteria.
 33 6. The department of human services and the department of
 34 public health shall provide a single statewide twenty-four-hour
 35 crisis hotline that incorporates warmline services which may be

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1 provided through expansion of the YourLifeIowa platform.>
 2 8. Page 17, by striking lines 1 through 4 and inserting
 3 <human services, in cooperation with the department of public
 4 health, representative members of the judicial branch, the Iowa
 5 hospital association, the Iowa medical society, the national
 6 alliance on mental illness, the Iowa state sheriffs' and
 7 deputies' association,>
 8 9. Page 17, by striking line 13 and inserting <departments
 9 of human services and inspections and appeals, representative
 10 members of the Iowa hospital association, managed care
 11 organizations, the national alliance on mental illness, the
 12 mental health institutes, and other>
 13 10. Page 17, after line 23 by inserting:
 14 <Sec. __.MENTAL HEALTH AND DISABILITY SERVICES FUNDING —
 15 FISCAL VIABILITY REVIEW DURING 2018 LEGISLATIVE INTERIM. The
 16 legislative council is requested to authorize a study committee
 17 to analyze the viability of the mental health and disability
 18 services funding including the methodology used to calculate
 19 and determine the base expenditure amount, the county budgeted

20 amount, the regional per capita expenditure amount, the
 21 statewide per capita expenditure target amount, and the cash
 22 flow reduction amount. The study committee shall consist of
 23 five members of the senate, three of whom shall be appointed
 24 by the majority leader of the senate and two of whom shall
 25 be appointed by the minority leader of the senate, and five
 26 members of the house of representatives, three of whom shall
 27 be appointed by the speaker of the house of representatives
 28 and two of whom shall be appointed by the minority leader
 29 of the house of representatives. The study committee shall
 30 meet during the 2018 legislative interim to make appropriate
 31 recommendations for consideration during the 2019 legislative
 32 session in a report submitted to the general assembly by
 33 January 15, 2019.

34 Sec. __.DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES —
 35 PSYCHIATRIC BED TRACKING SYSTEM. The department of human

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1 services shall amend its administrative rules pursuant to
 2 chapter 17A to require subacute mental health care facilities
 3 to participate in the psychiatric bed tracking system and
 4 to report the number of beds available for children and
 5 adults with a co-occurring mental illness and substance abuse
 6 disorder.

7 Sec. __.ASSERTIVE COMMUNITY TREATMENT — REIMBURSEMENT
 8 RATES. The department of human services shall review the
 9 reimbursement rates for assertive community treatment and
 10 shall report recommendations for reimbursement rates to the
 11 governor and the general assembly by December 15, 2018. The
 12 recommendations shall address any potential sustainable
 13 funding.>

14 11. By renumbering as necessary.

LUNDGREN of Dubuque

H-8103

1 Amend the amendment, H-8060, to House File 2305 as follows:

2 1. Page 1, by striking lines 3 through 6 and inserting:
 3 <b. "Health care services" means the same as defined in
 4 section 514J.102 and includes services for mental health
 5 conditions, illnesses, injuries, or diseases.>

6 2. By renumbering as necessary.

VANDER LINDEN of Mahaska

H-8104

1 Amend the amendment, H-8091, to House File 2377 as follows:

2 1. Page 1, by inserting before line 2:
 3 <__. Page 1, by striking lines 9 through 21 and inserting:

4 <2.a. The program shall collect from pharmacies dispensing
5 information for controlled substances identified pursuant to
6 section 124.554, subsection 1, paragraph “g”, and from first
7 responders as defined in section 147A.1, subsection 7, with
8 the exception of emergency medical care providers as defined
9 in section 147A.1, subsection 4, administration information
10 for opioid antagonists. The department of public health
11 shall provide information for the administration of opioid
12 antagonists to the board as prescribed by rule for emergency
13 medical care providers as defined in section 147A.1, subsection
14 4. The board shall adopt rules requiring the following
15 information to be provided regarding the administration of
16 opioid antagonists:
17 (1) Patient identification.
18 (2) Identification of the person administering opioid
19 antagonists.
20 (3) The date of administration.
21 (4) The quantity of opioid antagonists administered.
22 b. The information collected shall be used by prescribing
23 practitioners and pharmacists on a need-to-know basis for
24 purposes of improving patient health care by facilitating early
25 identification of patients who may be at risk for addiction,
26 or who may be using, abusing, or diverting drugs for unlawful
27 or otherwise unauthorized purposes at risk to themselves and
28 others, or who may be appropriately using controlled substances
29 lawfully prescribed for them but unknown to the practitioner.>>
30 2. Page 1, by striking lines 9 and 10 and inserting:
31 <__. By striking page 4, line 29, through page 5, line 4.>
32 3. Page 9, by inserting before line 25:
33 <__. Page 15, line 19, by striking <controlled substances>
34 and inserting <opioids>
35 __. Page 15, line 23, by striking <controlled substances>

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1 and inserting <opioids>
2 __. Page 15, lines 28 and 29, by striking <controlled
3 substances> and inserting <opioids>>
4 4. By renumbering, redesignating, and correcting internal
5 references as necessary.

LUNDGREN of Dubuque

H-8105

1 Amend House Joint Resolution 2009 as follows:
2 1. Page 1, line 4, by striking <section> and inserting
3 <sections>
4 2. Page 1, after line 9 by inserting:
5 <**Right to an education.** SEC. 1B. The state shall provide
6 all youths of this state with an education through a system of
7 public schools.>

8 3. Title page, by striking lines 1 through 3 and inserting
 9 <A Joint Resolution proposing amendments to the Constitution of
 10 the State of Iowa relating to establishing certain rights.>

MASCHER of Johnson

H-8106

1 Amend House File 2402 as follows:
 2 1. Page 1, by striking lines 4 and 5 and inserting
 3 <principal in a founded dependent adult abuse report.>
 4 2. Page 1, by striking line 7 and inserting <abuse for
 5 having abused the principal.>
 6 3. Page 1, line 9, by striking <paragraph> and inserting
 7 <paragraphs>
 8 4. Page 1, by striking lines 11 and 12 and inserting
 9 <criminal charges of dependent adult abuse against the agent as
 10 having abused the principal.>
 11 5. Page 1, after line 12 by inserting:
 12 <NEW PARAGRAPH. 00g. A person who becomes aware of an
 13 investigation of dependent adult abuse related to the agent as
 14 having abused the principal.>
 15 6. Page 1, by striking lines 17 and 18 and inserting
 16 <dependent adult abuse or an investigation of dependent adult
 17 abuse related to the principal, the court may suspend the
 18 agent's power of attorney>

JONES of Clay

H-8107

1 Amend House File 2314 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 331.307, subsection 3, Code 2018, is
 4 amended to read as follows:
 5 3.a. A county shall not provide that a violation of an
 6 ordinance is a county infraction if the violation is a felony,
 7 an aggravated misdemeanor, or a serious misdemeanor under state
 8 law or if the violation is a simple misdemeanor under chapters
 9 687 through 747, except as provided in paragraph "b".
 10 b. Notwithstanding section 727.2, subsection 2, paragraph
 11 "b", subparagraph (1), and subsection 3, paragraph "c",
 12 subparagraph (1), a county that by ordinance or resolution
 13 prohibits or limits the use of consumer fireworks or display
 14 fireworks pursuant to section 331.301, subsection 17, may
 15 provide that a violation of such ordinance or resolution is a
 16 county infraction.>
 17 2. Page 1, by striking lines 23 through 27 and inserting
 18 <a county or city classifies a violation of an ordinance or
 19 resolution prohibiting or limiting the use of display fireworks
 20 as a county infraction pursuant to section 331.307, subsection
 21 3, paragraph "b", or a municipal infraction pursuant to section

22 364.22, subsection 3, paragraph "b", whereby such person
 23 commits a county infraction in accordance with section 331.307
 24 or a municipal infraction in accordance with section 364.22.>
 25 3. By striking page 1, line 35, through page 2, line 4,
 26 and inserting ~~<a county or city classifies a violation of~~
 27 an ordinance or resolution prohibiting or limiting the use
 28 of consumer fireworks or novelties as a county infraction
 29 pursuant to section 331.307, subsection 3, paragraph "b", or a
 30 municipal infraction pursuant to section 364.22, subsection 3,
 31 paragraph "b", whereby such person commits a county infraction
 32 in accordance with section 331.307 or a municipal infraction in
 33 accordance with section 364.22.>
 34 4. Title page, by striking lines 1 and 2 and inserting <An
 35 Act permitting counties and cities to charge certain fireworks

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1 violations as county infractions or municipal infractions, and
 2 making penalties applicable.>
 3 5. By renumbering as necessary.

WINDSCHITL of Harrison

H-8108

1 Amend Senate File 2235, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 2, by striking lines 6 through 16.
 4 2. Page 2, line 17, by striking <e.> and inserting <d.>
 5 3. Page 2, line 24, by striking <f.> and inserting <e.>
 6 4. Page 3, line 2, by striking <g.> and inserting <f.>
 7 5. Page 3, line 5, by striking <"f"> and inserting <"e">
 8 6. By renumbering as necessary.

WORTHAN of Buena Vista

H-8109

1 Amend House File 2233 as follows:
 2 1. Page 1, line 3, by striking ~~<and section 573.28>~~
 3 2. Page 1, line 31, by striking ~~<and section 573.28>~~
 4 3. Page 2, line 5, after <"b"> by inserting ~~<a claimant may~~
 5 only amend>
 6 4. Page 2, lines 5 and 6, by striking ~~<may only be amended>~~
 7 5. Page 2, line 7, after <A> by inserting ~~<claimant may~~
 8 amend a>
 9 6. Page 2, line 7, by striking ~~<may be amended>~~
 10 7. Page 2, line 10, by striking ~~<subparagraph>~~ and inserting
 11 ~~<paragraph>~~
 12 8. Page 2, line 12, after <A> by inserting ~~<claimant shall~~
 13 not amend a>
 14 9. Page 2, line 12, by striking ~~<shall not be amended>~~

15 10. Title page, by striking lines 1 and 2 and inserting <An
 16 Act relating to mechanics' liens, public construction liens,
 17 and the early release of retained funds.>

McKEAN of Jones

H-8110

1 Amend House File 2450 as follows:
 2 1. By striking page 3, line 32, through page 4, line 3, and
 3 inserting:
 4 <3. ~~A motion filed under this section shall be filed in~~
 5 ~~the county where the defendant was convicted, and notice~~
 6 ~~of the motion shall be served by certified mail upon the~~
 7 ~~county attorney and, if known, upon the state, local agency,~~
 8 ~~or laboratory holding evidence described in subsection 2,~~
 9 ~~paragraph "k". The county attorney shall have sixty days to~~
 10 ~~file an answer to the motion. The motion shall be heard in,~~
 11 ~~and before any judge of the court in which the defendant's~~
 12 ~~conviction or sentence took place. A record of the proceedings~~
 13 ~~shall be made and preserved. All rules and statutes applicable~~
 14 ~~in civil proceedings including pretrial and discovery~~
 15 ~~procedures shall be available to the parties. The court may~~
 16 ~~receive proof of affidavits, depositions, oral testimony, or~~
 17 ~~other evidence, and may order the defendant brought before it~~
 18 ~~for the hearing on the motion.>~~
 19 2. Page 6, after line 34 by inserting:
 20 <13. If the court determines after DNA profiling ordered
 21 pursuant to this section that the results indicate a reasonable
 22 probability that the defendant would not have been convicted
 23 if such DNA profiling results had been introduced at trial,
 24 the court shall enter an appropriate order with respect to
 25 the defendant's conviction or sentence in the former criminal
 26 proceedings, and any supplementary orders as to arraignment,
 27 retrial, custody, bail, discharge, correction of sentence, or
 28 other matters that may be necessary and proper. The court
 29 shall make specific findings of fact, and state expressly its
 30 conclusions of law, relating to each issue presented. This
 31 order shall be considered a final judgment.>

RIZER of Linn

H-8111

1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 12, after line 24 by inserting:
 4 <DIVISION ____
 5 SOCIAL STUDIES STANDARDS — PROHIBITION
 6 Sec. ____ Section 256.7, subsection 26, paragraph a,
 7 unnumbered paragraph 1, Code 2018, is amended to read as
 8 follows:

9 Adopt rules that establish a core curriculum and high school
 10 graduation requirements for all students in school districts
 11 and accredited nonpublic schools that include at a minimum
 12 satisfactory completion of four years of English and language
 13 arts, three years of mathematics, three years of science, and
 14 three years of social studies. The state board shall not
 15 adopt, and the department shall not authorize or require,
 16 statewide core social studies standards for kindergarten
 17 through grade twelve. This prohibition shall not be construed
 18 to limit the state board's or the department's authority
 19 relating to the accreditation of school districts and nonpublic
 20 schools under section 256.11.

21 Sec. ____ Section 256.7, subsection 26, paragraph a,
 22 subparagraph (3), Code 2018, is amended to read as follows:

23 (3) The rules establishing a core curriculum shall address
 24 the core content standards in subsection 28 and the skills and
 25 knowledge students need to be successful in the twenty-first
 26 century. The core curriculum shall include ~~social studies and~~
 27 ~~twenty-first century learning skills which include, including~~
 28 ~~but are~~ not limited to civic literacy, health literacy,
 29 technology literacy, financial literacy, family life and
 30 consumer sciences, and employability skills; and shall address
 31 the curricular needs of students in kindergarten through grade
 32 twelve in those areas. The state board shall further define
 33 the twenty-first century learning skills components by rule.>

34 2. By renumbering as necessary.

FISHER of Tama
 HAGER of Allamakee
 GASSMAN of Winnebago
 SHEETS of Appanoose
 JACOBSEN of Pottawattamie

SALMON of Black Hawk
 HEARTSILL of Marion
 WHEELER of Sioux
 WATTS of Dallas
 BAXTER of Hancock
 HOLT of Crawford

H-8112

1 Amend House File 2399 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 10A.702, subsection 4, Code 2018, is
 4 amended to read as follows:
 5 4. Inspections of child foster care facilities, the state
 6 training school, and private institutions for the care of
 7 dependent, neglected, and delinquent children.>
 8 2. Page 1, by striking lines 4 through 23 and inserting:
 9 <1. Effective January 1, 1992, ~~a diagnosis and~~
 10 ~~evaluation center and other~~ units are established at Eldora
 11 the state training school to provide ~~to court-committed~~
 12 male juvenile delinquents a program which focuses upon
 13 appropriate developmental skills, treatment, placements, and
 14 rehabilitation.>
 15 3. Page 2, after line 4 by inserting:
 16 <Sec. ____, NEW SECTION. 233A.6A Reports and inspections.

17 The department of inspections and appeals shall conduct
 18 at least one annual, unannounced inspection of the state
 19 training school to assess the quality of the living situation
 20 at the state training school and to determine compliance with
 21 applicable requirements and standards.>
 22 4. By renumbering as necessary.

MASCHER of Johnson

H-8113

1 Amend Senate File 2131, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1.AREA EDUCATION AGENCIES — ONLINE LEARNING
 6 WORKING GROUP.
 7 1. The area education agencies, in collaboration with the
 8 community colleges, shall convene a working group to identify
 9 effective means by which students may access educational
 10 instruction and content online and shall recommend partnerships
 11 between existing providers of rigorous and high-quality online
 12 coursework.
 13 2. The working group shall submit its findings and
 14 recommendations to the general assembly by October 15, 2018.
 15 Sec. 2.EFFECTIVE DATE. This Act, being deemed of immediate
 16 importance, takes effect upon enactment.>
 17 2. Title page, by striking lines 1 through 4 and inserting
 18 <An Act directing the area education agencies to convene an
 19 online learning working group and including effective date
 20 provisions.>

WINCKLER of Scott

H-8114

1 Amend House File 2405 as follows:
 2 1. Page 1, line 2, by striking <exception> and inserting
 3 <exceptions>
 4 2. Page 1, by striking line 16 and inserting <not apply to
 5 any of the following:
 6 a. A civil action for damages for an intentional>
 7 3. Page 1, after line 18 by inserting:
 8 <b. A civil action for damages for the intentional failure
 9 of a physician to comply with the duty imposed by the standards
 10 of medical practice and the code of medical ethics to provide a
 11 patient with all material facts reasonably necessary to make an
 12 informed decision about a pregnancy.>
 13 4. By renumbering, redesignating, and correcting internal
 14 references as necessary.

WESSEL-KROESCHELL of Story

H-8115

1 Amend House File 2405 as follows:

2 1. Page 1, after line 18 by inserting:

3 < 4.a. A wrongful birth and wrongful life compensation
4 fund is created in the state treasury as a separate fund under
5 the control of the department of public health. A person who
6 would otherwise have a cause of action for wrongful birth or
7 wrongful life as described and prohibited in this section,
8 shall be eligible to apply for compensation for lost wages,
9 and for the educational needs and all medically necessary and
10 reasonable expenses of medical and hospital, rehabilitative,
11 residential and custodial care and service, special equipment
12 or facilities, and related travel, related to the child who
13 would have been the subject of the wrongful birth or wrongful
14 life action, with the exception of costs for which the claimant
15 may receive compensation or reimbursement from another
16 government program or another third-party payor.

17 b. The fund shall consist of moneys deposited in the fund,
18 annually, in an amount in excess of the amount that would
19 otherwise have been claimed, for the taxable year that begins
20 on or after January 1, 2017, but prior to January 1, 2018, as
21 refunds by taxpayers whose research activities credits exceeded
22 the tax liability imposed as provided pursuant to section
23 15.335, subsection 8, section 422.10, subsection 4, and section
24 422.33, subsection 5, paragraph "f".

25 c. The department of public health shall adopt rules
26 pursuant to chapter 17A to administer the fund.

27 Sec. ____ Section 15.335, subsection 8, Code 2018, is
28 amended to read as follows:

29 8. Any credit in excess of the tax liability for the taxable
30 year shall be refunded with interest computed under section
31 422.25, not to exceed the total amount expended for tax credit
32 refunds under this subsection for the taxable year that begins
33 on or after January 1, 2017, but prior to January 1, 2018. Any
34 amount in excess of the total amount expended for tax credit
35 refunds under this subsection for such taxable year which

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1 would otherwise be expended annually for tax credit refunds
2 claimed under this subsection for any subsequent taxable year
3 shall instead be deposited in the wrongful birth and wrongful
4 life compensation fund created in section 613.15B to be used
5 for the purposes of that fund. In lieu of claiming a refund,
6 a taxpayer may elect to have the overpayment shown on its
7 final, completed return credited to the tax liability for the
8 following year.

9 Sec. ____ Section 422.10, subsection 4, Code 2018, is
10 amended to read as follows:

11 4. Any credit in excess of the tax liability imposed by
12 section 422.5 less the amounts of nonrefundable credits allowed

13 under this division for the taxable year shall be refunded with
 14 interest computed under section 422.25, not to exceed the total
 15 amount expended for tax credit refunds under this subsection
 16 for the taxable year beginning January 1, 2017. Any amount
 17 in excess of the total amount expended for tax credit refunds
 18 under this subsection for the taxable year beginning January
 19 1, 2017, which would otherwise be expended annually for tax
 20 credit refunds claimed under this subsection for the taxable
 21 year beginning January 1, 2018, and for each taxable year
 22 thereafter, shall instead be deposited in the wrongful birth
 23 and wrongful life compensation fund created in section 613.15B
 24 to be used for the purposes of that fund. In lieu of claiming
 25 a refund, a taxpayer may elect to have the overpayment shown
 26 on the taxpayer's final, completed return credited to the tax
 27 liability for the following taxable year.

28 Sec. ____ Section 422.33, subsection 5, paragraph f, Code
 29 2018, is amended to read as follows:

30 *f.* Any credit in excess of the tax liability for the taxable
 31 year shall be refunded with interest computed under section
 32 422.25, not to exceed the total amount expended for tax credit
 33 refunds under this paragraph for the taxable year that begins
 34 on or after January 1, 2017, but prior to January 1, 2018. Any
 35 amount in excess of the total amount expended for tax credit

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1 refunds under this paragraph for such taxable year, which
 2 would otherwise be expended annually for tax credit refunds
 3 claimed under this subsection for any subsequent taxable year
 4 shall instead be deposited in the wrongful birth and wrongful
 5 life compensation fund created in section 613.15B to be used
 6 for the purposes of that fund. In lieu of claiming a refund,
 7 a taxpayer may elect to have the overpayment shown on its
 8 final, completed return credited to the tax liability for the
 9 following taxable year.>

10 2. Title page, line 2, after <and> by inserting <creating a
 11 wrongful birth and wrongful life compensation fund, and>

12 3. By renumbering as necessary.

WESSEL-KROESCHELL of Story

H-8116

1 Amend House File 2372 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 SELECTION OF COUNTY SUPERVISOR REPRESENTATION PLANS

5 Section 1. Section 331.206, subsection 2, paragraph a, Code
 6 2018, is amended to read as follows:

7 *a.* The plan used under subsection 1 shall be selected by the
 8 board or by a special election as provided in section 331.207.

9 A plan selected by the board shall remain in effect for at

10 least six years ~~unless it is~~ and shall only be changed by a
 11 special election as provided in section 331.207.

12 DIVISION II

13 COUNTY SUPERVISOR REPRESENTATION DISTRICTING PLANS>

14 2. Page 2, lines 4 and 5, by striking <one hundred fifty>
 15 and inserting <sixty>

16 3. Title page, line 1, after <supervisor> by inserting
 17 <representation and>

18 4. By renumbering as necessary.

CARLSON of Muscatine

H-8117

1 Amend House File 2456 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 BEHAVIORAL HEALTH — DISCLOSURES — MENTAL HEALTH AND
 5 DISABILITY SERVICES>

6 2. Page 17, after line 26 by inserting:

7 <DIVISION ___

8 EXTREME RISK PROTECTIVE ORDER — FIREARMS

9 Sec. ___. Section 664A.1, subsection 2, Code 2018, is
 10 amended to read as follows:

11 2.a. “Protective order” means a protective order issued
 12 pursuant to chapter 232, a court order or court-approved
 13 consent agreement entered pursuant to this chapter or chapter
 14 235F, a court order or court-approved consent agreement entered
 15 pursuant to chapter 236 or 236A, including a valid foreign
 16 protective order under section 236.19, subsection 3, or section
 17 236A.19, subsection 3, a temporary or permanent protective
 18 order or order to vacate the homestead under chapter 598, or an
 19 order that establishes conditions of release or is a protective
 20 order or sentencing order in a criminal prosecution arising
 21 from a domestic abuse assault under section 708.2A, or a civil
 22 injunction issued pursuant to section 915.22.

23 b. “Protective order” does not include a protective order
 24 issued pursuant to chapter 664B.

25 Sec. ___. NEW SECTION. 664B.1 Definitions.

26 As used in this chapter unless the context otherwise
 27 requires:

28 1. “*Affidavit*” means a written declaration or statement of
 29 fact made under oath, or legally sufficient affirmation, before
 30 any person authorized to administer oaths within or without the
 31 state.

32 2. “*Family member*” means a spouse, person cohabiting, a
 33 parent, or other person related by consanguinity or affinity.

34 3. “*Firearm*” includes ammunition and any offensive weapon.

35 4. “*Intimate relationship*” means the same as defined in

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1 section 235E.1.

2 5. "*Plaintiff*" means a family member, a person with whom the
3 respondent is having an intimate relationship with, or a peace
4 officer who files a petition under this chapter.

5 6. "*Possession*" includes ownership, custody, or control.

6 7. "*Respondent*" means a person against whom a protective
7 order is filed under this chapter.

8 Sec. .**NEW SECTION. 664B.2 Extreme risk protective order**
9 **— petition.**

10 1. A plaintiff may file a petition in the district court
11 requesting an extreme risk protective order. Venue shall lie
12 in the county where either party resides. The petition shall
13 contain all of the following:

14 a. Name of the plaintiff and the name and address of the
15 plaintiff's attorney, if any. If the plaintiff is proceeding
16 pro se, the petition shall state a mailing address for the
17 plaintiff. A mailing address may be provided by the plaintiff
18 pursuant to section 664B.6.

19 b. A statement of facts alleging the respondent presents
20 a significant danger to the respondent's self or others by
21 possessing, shipping, transporting, or receiving firearms
22 accompanied by an affidavit stating the specific statements,
23 actions, or facts that give rise to the reasons the respondent
24 presents a significant danger to the respondent's self or
25 others by possessing, shipping, transporting, or receiving
26 firearms.

27 c. The location, type, and number of firearms the plaintiff
28 believes are possessed by the respondent.

29 d. Whether the respondent is subject to a current protective
30 order or a no-contact order.

31 e. Whether any legal proceeding is pending between the
32 plaintiff and respondent, and if so, the nature of the legal
33 proceeding.

34 f. Desired relief, including a request for temporary or
35 emergency orders.

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1 2. The filing fee and court costs for an extreme risk
2 protective order shall be waived for the plaintiff.

3 3. The clerk of the district court, the sheriff of any
4 county in this state, or any peace officer, or corrections
5 officer shall perform their duties relating to service of
6 process without charge to the plaintiff. When an order for
7 an extreme risk protective is entered by the court, the court
8 may direct the respondent to pay to the clerk of court the
9 fees for the filing of the petition and reasonable costs of
10 service of process if the court determines the respondent has
11 the ability to pay the plaintiff's fees and costs. In lieu of
12 personal service of a protective order issued pursuant to this

13 section, the sheriff of any county in this state, and other law
14 enforcement and corrections officers may serve a respondent
15 with a short-form notification pursuant to section 664B.3.
16 Sec. .NEW SECTION. **664B.3 Short-form notification.**
17 1. In lieu of personal service of an extreme risk protective
18 order or an emergency extreme risk protective order on a
19 respondent whose firearms are to be surrendered by such an
20 order, a sheriff of any county in this state or any peace
21 officer or corrections officer in this state may serve the
22 respondent with a short-form notification pursuant to this
23 section to effectuate service of an unserved order.
24 2. Service of a short-form notification under this section
25 shall be allowed during traffic stops and other contacts with
26 the respondent by a sheriff, peace officer, or corrections
27 officer in this state in the course of performing official
28 duties. The respondent may be detained for a reasonable period
29 of time to complete the short-form notification process.
30 3. When the short-form notification process is complete,
31 the sheriff, peace officer, or corrections officer serving the
32 notification shall file a copy of the notification with the
33 clerk of the district court. The filing shall indicate the
34 date and time the notification was served on the respondent.
35 4. The short-form notification shall be on a form

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1 prescribed by the state court administrator. The state court
2 administrator shall prescribe rules relating to the content
3 and distribution of the form to appropriate law enforcement
4 agencies in this state. The form shall include but not be
5 limited to all of the following statements:
6 a. The respondent shall immediately surrender all firearms
7 in the respondent's possession and any permit to carry weapons
8 or permit to acquire in the possession of the respondent.
9 b. The respondent is responsible for obtaining a full copy
10 of the extreme risk protective order or emergency extreme risk
11 protective order from the county sheriff of the county in which
12 the order was entered or from the clerk of the district court.
13 c. The terms and conditions of the extreme risk protective
14 order or emergency extreme risk protective order are
15 enforceable, and the respondent is subject to arrest for
16 violating the protective order.
17 Sec. .NEW SECTION. **664B.4 Plaintiffs proceeding pro se**
18 **— provision of forms and assistance.**
19 1. The department of justice shall prescribe standard forms
20 to be used by a plaintiff proceeding pro se when filing a
21 petition under this chapter. The standard forms shall include
22 language in fourteen point boldface type. Standard forms
23 prescribed by the department shall be the exclusive forms used
24 by a plaintiff proceeding pro se, and may be used by other
25 plaintiffs. The department shall distribute the forms to the
26 clerks of the district courts.

27 2. The clerk of the district court shall furnish the
 28 required forms to plaintiffs seeking an extreme risk protective
 29 order through pro se proceedings pursuant to this chapter.
 30 Sec. NEW SECTION. 664B.5 Assistance by county
 31 **attorney.**
 32 A county attorney's office may provide assistance to a
 33 plaintiff wishing to initiate proceedings pursuant to this
 34 chapter or to a plaintiff at any stage of a proceeding under
 35 this chapter, if the plaintiff does not have sufficient funds

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1 to pay for legal assistance and if the assistance does not
 2 create a conflict of interest for the county attorney's office.
 3 The assistance provided may include, but is not limited to,
 4 assistance in obtaining or completing forms, filing a petition
 5 or other necessary pleading, presenting evidence to the court,
 6 and enforcing the orders of the court entered pursuant to this
 7 chapter. Providing assistance pursuant to this section shall
 8 not be considered the private practice of law for the purposes
 9 of section 331.752.
 10 Sec. NEW SECTION. 664B.6 Plaintiff's address —
 11 **confidentiality of records.**
 12 1. A plaintiff may use any of the following addresses as a
 13 mailing address for purposes of filing a petition under this
 14 chapter:
 15 a. The mailing address of a shelter or other agency.
 16 b. A public or private post office box.
 17 c. Any other mailing address, with the permission of the
 18 resident of that address.
 19 2. A plaintiff shall report any change of address, whether
 20 designated according to subsection 1 or otherwise, to the clerk
 21 of the district court no more than five days after the previous
 22 address on record becomes invalid.
 23 3. The entire file or a portion of the file under this
 24 chapter shall be sealed by the clerk of the district court as
 25 ordered by the court to protect the privacy interest or safety
 26 of any person.
 27 4. Notwithstanding subsection 3, court orders shall remain
 28 public records, although the court may order that address and
 29 location information be redacted from the public records.
 30 Sec. NEW SECTION. 664B.7 Hearing.
 31 1. Not less than five and not more than fifteen days after
 32 commencing a proceeding and upon notice to the other party,
 33 a hearing shall be held at which the plaintiff must prove by
 34 a preponderance of the evidence that the respondent presents
 35 a significant danger to the respondent's self or others by

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1 possessing, shipping, transporting, or receiving firearms.
 2 2. Upon hearing, if the court finds by a preponderance of

3 the evidence that the respondent poses a significant danger
4 to the respondent's self or others by possessing, shipping,
5 transporting, or receiving firearms, the court shall issue an
6 extreme risk protective order for a period of one year.

7 3. In determining whether grounds for an extreme risk
8 protective order exist, the court may consider any relevant
9 evidence including but not limited to the following:

10 a. A recent act or threat of violence by the respondent
11 against the respondent's self or others, and whether such
12 violence or threat involves a firearm.

13 b. A pattern of acts or threats of violence against the
14 respondent's self or others within the preceding twelve months
15 of the filing of the petition.

16 c. Any serious mental impairment of the respondent.

17 d. Any violation of a no-contact order issued for violations
18 or alleged violations of sections 708.2A, 708.7, 708.11, 709.2,
19 709.3, and 709.4, and any other public offense for which there
20 is a victim.

21 e. Any violation of a protective order issued in a civil
22 proceeding under chapter 232, 235F, 236, 236A, 598, or 915.

23 f. The issuance of a previous extreme risk protective order
24 against the respondent under this chapter.

25 g. A violation of a previous extreme risk protective order
26 issued against the respondent under this chapter.

27 h. A conviction of the respondent for a crime that
28 constitutes domestic abuse assault in violation of section
29 708.2A.

30 i. The possession of or access to a firearm, or the intent
31 to possess a firearm by the respondent.

32 j. The unlawful or reckless use, display, or brandishing of
33 a firearm by the respondent.

34 k. Any history of use, attempted use, or threatened use of
35 physical force by the respondent against another person, or the

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1 respondent's history of stalking or harassing another person.

2 l. Any prior arrest of the respondent for a felony offense
3 or violent crime.

4 m. Evidence of abuse of a controlled substance or alcohol
5 by the respondent.

6 n. Evidence of recent acquisition of a firearm by the
7 respondent.

8 4. The court may:

9 a. Examine under oath the plaintiff, the respondent, and
10 any witnesses that the plaintiff or respondent produces, or
11 in lieu of examination, consider affidavits of the plaintiff,
12 the respondent, or any witnesses the plaintiff or respondent
13 produces.

14 b. Ensure that a reasonable search has been conducted for
15 criminal history records relating to the respondent.

16 5. During the hearing, the court may order a substance abuse

17 evaluation.

18 6. An extreme risk protective order shall include all of the
19 following:

20 a. A statement of the grounds supporting the issuance of the
21 order.

22 b. The date and time the order was issued.

23 c. The date and time the order expires.

24 d. Whether a substance abuse evaluation is required.

25 e. Whether a responsive pleading may be filed.

26 f. A description of the firearms to be surrendered.

27 g. An extreme risk protective order shall contain the
28 following statement:

29 To the subject of this protective order: This order remains
30 effective until the date and time noted above. If you have not
31 done so already, you must surrender to the (insert the name of
32 a local law enforcement agency with jurisdiction) all firearms
33 in your possession, custody, or control and surrender any
34 permit to carry weapons or permit to acquire in your possession
35 to such agency. You shall not have in your possession a

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1 firearm, or ship, transport, or receive, or attempt to ship,
2 transport, or receive such a firearm while this order is in
3 effect. You have the right to request one hearing to terminate
4 this order during each twelve-month period that this order is
5 in effect, starting from the date of this order and continuing
6 through any extension of the order. If the order requires
7 a substance abuse evaluation, you must first obtain such
8 evaluation and disclose the results of the evaluation to the
9 court prior to requesting a hearing.

10 7. If a hearing is continued, the court may make or extend
11 any order issued under subsection 2 that it deems necessary.

12 8. Upon the application of a party, the court shall issue
13 subpoenas requiring attendance and testimony of witnesses and
14 production of papers.

15 9. The court shall advise the respondent of a right to be
16 represented by counsel of the respondent's choosing and to have
17 a continuance to secure counsel.

18 10. If applicable, the court shall determine whether the
19 respondent has had sufficient opportunity to surrender the
20 respondent's firearms after service of an emergency extreme
21 risk protective order issued under section 664B.8.

22 11. Hearings shall be recorded.

23 Sec. NEW SECTION. **664B.8 Emergency extreme risk**
24 **protective order.**

25 1. A plaintiff may request that an emergency extreme risk
26 protective order be issued before a hearing for an extreme
27 risk protective order under section 664B.7, without notice
28 to the respondent, by including in the petition detailed
29 allegations based on personal knowledge that the respondent
30 poses a significant danger to the respondent's self or others,

31 in the near future, by possessing, shipping, transporting, or
32 receiving firearms.
33 2. In considering whether to issue an emergency extreme risk
34 protective order under this section, the court shall consider
35 all relevant evidence described in section 664B.7, subsection

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1 3.
2 3. If the court finds there is good cause to believe that
3 the respondent poses a significant danger to the respondent's
4 self or others, in the near future, by possessing, shipping,
5 transporting, or receiving firearms, the court shall issue an
6 emergency extreme risk protective order.
7 4. The court shall hold an emergency extreme risk protective
8 order hearing in person or by telephone on the day the petition
9 is filed.
10 5. When the court is unavailable from the close of business
11 at the end of the day or week to the resumption of business
12 at the beginning of the day or week, a petition may be filed
13 before a district judge, or district associate judge designated
14 by the chief judge of the judicial district, who may grant
15 emergency relief under this section, if the district judge
16 or district associate judge finds there is good cause to
17 believe that the respondent poses a significant danger to the
18 respondent's self or others, in the near future, by possessing,
19 shipping, transporting, or receiving firearms.
20 6. An emergency extreme risk protective order shall include
21 the following:
22 a. A statement of the grounds supporting the issuance of the
23 order.
24 b. The date and time the order was issued.
25 c. The date and time the order expires.
26 d. Whether a responsive pleading may be filed.
27 e. A description of the firearms to be surrendered.
28 f. The date and time of the scheduled hearing.
29 g. An emergency extreme risk protective order shall contain
30 the following statement:
31 To the subject of this protective order: This order remains
32 effective until the date and time noted above. If you have not
33 done so already, you must immediately surrender to the (insert
34 the name of a local law enforcement agency with jurisdiction)
35 all firearms in your possession, custody, or control, and

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1 surrender any permit to carry weapons or permit to acquire
2 in your possession to such agency. You shall not have in
3 your possession a firearm, or ship, transport, or receive, or
4 attempt to ship, transport, or receive such a firearm while
5 this order is in effect. A hearing will be held on the date
6 and time noted above to determine if an extreme risk protective

7 order shall be issued. Failure to appear at that hearing may
 8 result in a court entering an extreme risk protective order
 9 against you that is valid for a period of one year. You may
 10 seek the advice of an attorney as to any matter connected with
 11 this order.

12 7. An emergency extreme risk protective order issued under
 13 this section shall expire upon the issuance of an extreme
 14 risk protective order under section 664B.7 or if the court
 15 determines at a hearing on the petition for an extreme risk
 16 protective order under section 664B.7 that the plaintiff
 17 has not proven by a preponderance of the evidence that the
 18 respondent presents a significant danger to the respondent's
 19 self or others by possessing, shipping, transporting, or
 20 receiving firearms.

21 8. An emergency extreme risk protective order shall be
 22 served by the sheriff of any county in this state, a peace
 23 officer, or a corrections officer, in the same manner provided
 24 in section 664B.2 for the service of the notice and petition,
 25 and shall be served concurrently with such notice of hearing
 26 and petition, if possible. Alternatively, an emergency
 27 extreme risk protective order may be served using short-form
 28 notification pursuant to section 664B.3, and shall be served
 29 concurrently with the notice of hearing and petition, if
 30 possible.

31 **Sec. __.NEW SECTION. 664B.9 Notice of extreme risk**
 32 **protective order or emergency extreme risk protective order.**

33 1. The clerk of the district court or other person
 34 designated by the court shall provide a copy of the extreme
 35 risk protective order or the emergency extreme risk protective

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1 order to the plaintiff.

2 2. The clerk of the district court shall provide a notice
 3 and copy of the protective order to the appropriate law
 4 enforcement agencies and the twenty-four-hour dispatcher for
 5 the law enforcement agencies in the same manner as provided in
 6 section 235F.6, 236.5, or 236A.7, as applicable. The clerk
 7 of the district court shall provide a notice and copy of a
 8 termination or extension of the protective order in the same
 9 manner.

10 **Sec. __.NEW SECTION. 664B.10 Termination or extension of**
 11 **order.**

12 1. The respondent may request a hearing to terminate
 13 an extreme risk protective order issued under this chapter
 14 during the twelve-month period that the order is in effect,
 15 starting from the date of the order and continuing through any
 16 extensions.

17 a. Upon receipt of a request for a hearing to terminate
 18 an extreme risk protective order, the court shall set a date
 19 for a hearing. Notice of the request shall be served on the
 20 plaintiff. The hearing shall occur no sooner than fourteen

21 days and no later than thirty days from the date of service of
22 the request upon the plaintiff.

23 *b.* The respondent shall have the burden of proving by a
24 preponderance of the evidence that the respondent does not pose
25 a significant danger to the respondent's self or others by
26 possessing, shipping, transporting, or receiving firearms.

27 *c.* If the court finds after the hearing that the respondent
28 has met the burden of proof, the court shall terminate the
29 extreme risk protective order.

30 2. A family member may, by motion, request an extension
31 of an extreme risk protective order within ninety days of the
32 expiration of the order.

33 *a.* Upon receipt of a motion to extend an extreme risk
34 protective order, the court shall order the hearing be held no
35 earlier than fourteen days from the date of the motion.

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1 *b.* In considering whether to extend the extreme risk
2 protective order under this section, the court shall consider
3 all relevant evidence described in section 664B.7, subsection
4 3.

5 *c.* If the court finds by a preponderance of the evidence
6 that the requirements for issuance of an extreme risk
7 protective order continue to be met, the court shall extend
8 the order. However, if, after notice, the motion to extend is
9 uncontested and the plaintiff does not seek a modification of
10 the existing order, the order may be extended on the basis of
11 the plaintiff's motion or affidavit stating that there has been
12 no material change in relevant circumstances since entry of the
13 protective order.

14 Sec. __.NEW SECTION. 664B.11 Firearms and firearm permits
15 — surrender.

16 1. Upon the issuance of an extreme risk protective order
17 or an emergency extreme risk protective order, the court shall
18 order the respondent to immediately surrender to the law
19 enforcement agency named in the protective order, all firearms
20 possessed by the respondent and any permit to carry weapons
21 or permit to acquire possessed by the respondent, within
22 forty-eight hours of service of the order or within forty-eight
23 hours of a hearing held pursuant to section 664B.7 at which the
24 respondent was present and an order was subsequently issued.

25 2. At the time of surrendering any firearms, a law
26 enforcement officer taking possession of any firearms
27 shall issue a receipt identifying all firearms that have
28 been surrendered and provide a copy of the receipt to the
29 respondent. Within seventy-two hours after service of the
30 order the law enforcement officer serving the order shall file
31 the original receipt with the court and shall ensure that the
32 law enforcement agency retains a copy of the receipt.

33 3. Upon a sworn statement or testimony of the plaintiff or
34 of any law enforcement officer alleging that the respondent has

35 failed to comply with the surrender of firearms and permits

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1 as required by any order issued under this section, the court
 2 shall determine whether probable cause exists to believe that
 3 the respondent has failed to surrender all firearms or permits
 4 in the possession of the respondent. If probable cause exists,
 5 the court shall issue a search warrant describing the firearms
 6 and authorizing a search of the locations where the firearms
 7 are reasonably believed to be and the seizure of any firearms
 8 discovered in the search.

9 4. If a person other than the respondent claims to own
 10 any of the firearms seized or surrendered pursuant to this
 11 chapter, and the law enforcement agency where the firearms are
 12 stored determines that person to be the lawful owner of the
 13 firearms, the firearms shall be returned to the lawful owner if
 14 the lawful owner agrees to store the firearms in such a manner
 15 that prevents the respondent from having access to the firearms
 16 during the time an extreme risk protective order or emergency
 17 extreme risk protective order is in effect.

18 Sec. .NEW SECTION. **664B.12 Firearm surrender —**
 19 **hearing.**

20 Upon the issuance of an extreme risk protective order, the
 21 court shall order a new hearing within three business days
 22 of the issuance of the order that requires the respondent
 23 to provide evidence to the court that the respondent has
 24 surrendered any firearms in the possession of the respondent.
 25 The court may dismiss the hearing upon a satisfactory showing
 26 the respondent has complied with the order.

27 Sec. .NEW SECTION. **664B.13 Firearms — storage.**

28 All law enforcement agencies shall develop policies and
 29 procedures by June 1, 2019, regarding the acceptance, storage,
 30 and return of firearms surrendered to a law enforcement agency
 31 under this chapter.

32 Sec. .NEW SECTION. **664B.14 Return of firearms and**
 33 **unclaimed firearms.**

34 1. If an extreme risk protective order is terminated or
 35 expires without an extension, the law enforcement agency in

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1 possession of any firearms surrendered by a respondent shall
 2 return any such firearms upon request of the respondent,
 3 provided the respondent is eligible to possess a firearm.

4 2. Notwithstanding section 809.21, for firearms that remain
 5 unclaimed by the lawful owner, the firearms shall be destroyed
 6 pursuant to 661 IAC 95.8.

7 Sec. .NEW SECTION. **664B.15 Penalties.**

8 1. A person who files a petition under this chapter knowing
 9 the information in the petition to be materially false commits
 10 a serious misdemeanor.

11 2. A respondent who possesses a firearm, or who ships,
 12 transports, or receives, or attempts to ship, transport, or
 13 receive a firearm while an extreme risk protective order or
 14 emergency extreme risk protective order is in effect commits an
 15 aggravated misdemeanor.

16 3. A person who claims ownership of a firearm pursuant to
 17 section 664B.11, subsection 4, who agrees to store the firearm
 18 in such a manner that prevents a respondent from having access
 19 to the firearm commits a serious misdemeanor if the respondent
 20 is later found to have access to the firearm that is subject
 21 to the agreement while an extreme risk protective order is in
 22 effect.

23 4. A respondent who violates subsection 2 shall be
 24 prohibited from possessing, shipping, transporting, or
 25 receiving a firearm for a period of five years from the date of
 26 the conviction.

27 Sec. _____. Section 724.8, Code 2018, is amended by adding the
 28 following new subsections:

29 NEW SUBSECTION. 7. Is subject to an extreme risk protective
 30 order or an emergency extreme risk protective order issued
 31 under chapter 664B.

32 NEW SUBSECTION. 8. Has been convicted of a violation of
 33 section 664B.15, subsection 2, within the previous five years.

34 Sec. _____. Section 724.15, subsection 1, Code 2018, is
 35 amended by adding the following new paragraphs:

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1 NEW PARAGRAPH. d. Is subject to an extreme risk protective
 2 order or an emergency extreme risk protective order issued
 3 under chapter 664B.

4 NEW PARAGRAPH. e. Has been convicted of a violation of
 5 section 664B.15, subsection 2, within the previous five years.

6 Sec. _____. Section 724.26, subsection 2, paragraph a, Code
 7 2018, is amended to read as follows:

8 *a.* Except as provided in paragraph "b", a person ~~who is~~
 9 ~~subject to a protective order under 18 U.S.C. §922(g)(8) or who~~
 10 ~~has been convicted of a misdemeanor crime of domestic violence~~
 11 ~~under 18 U.S.C. §922(g)(9) and who knowingly possesses,~~
 12 ships, transports, or receives a firearm, offensive weapon, or
 13 ammunition ~~and who is any of the following~~ is guilty of a class
 14 "D" felony.:

15 (i) Is subject to a protective order under 18 U.S.C.
 16 §922(g)(8).

17 (ii) Has been convicted of a misdemeanor crime of domestic
 18 violence under 18 U.S.C. §922(g)(9).

19 (iii) Is subject to an extreme risk protective order under
 20 chapter 664B.>

21 3. Title page, line 4, by striking <and mental> and
 22 inserting <mental>

23 4. Title page, line 5, by striking <services> and inserting
 24 <services, and the creation of an extreme risk protective

25 order, and providing penalties>
26 5. By renumbering as necessary.

STAED of Linn

H-8118

1 Amend House File 2456 as follows:
2 1. Page 4, after line 18 by inserting:
3 <Sec. __. Section 331.391, subsection 4, paragraph b, Code
4 2018, is amended to read as follows:
5 b. For fiscal years beginning July 1, 2017, July 1, 2018,
6 and July 1, 2019, that portion of each region’s cash flow
7 amount either reserved in the combined account or reserved
8 among all separate county accounts under the control of the
9 governing board that exceeds twenty-five percent of the gross
10 expenditures from the combined account or from all separate
11 county accounts under control of the governing board in the
12 fiscal year preceding the fiscal year in progress shall be used
13 in whole or in part to fund the payment of services provided
14 under the regional service system management plan under section
15 331.393, which may include expenses associated with increasing
16 capacity to provide services to persons with substance-related
17 disorders and persons with co-occurring mental health and
18 substance-related disorders.
19 Sec. __. Section 331.393, subsection 2, Code 2018, is
20 amended to read as follows:
21 2. Each region shall submit to the department an annual
22 service and budget plan approved by the region’s governing
23 board and subject to approval by the director of human
24 services. Provisions for the director of human services’
25 approval of the annual service and budget plan, and any
26 amendments to the plan, and other requirements shall be
27 specified in rule adopted by the state commission.
28 a. The provisions addressed in the annual plan shall include
29 but are not limited to all of the following:
30 ~~a.~~ (1) The region’s budget and financing provisions for
31 the next fiscal year. The provisions shall address how county,
32 regional, state, and other funding sources will be used to meet
33 the service needs within the region.
34 ~~b.~~ (2) The scope of services included in addition to
35 the required core services. Each service included shall be

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1 described and projection of need and the funding necessary to
2 meet the need shall be included.
3 ~~e.~~ (3) The location of the local access points for
4 services.
5 ~~d.~~ (4) The plan for assuring effective crisis prevention,
6 response, and resolution.
7 ~~e.~~ (5) The provider reimbursement provisions. A region’s

8 use of provider reimbursement approaches in addition to
 9 fee-for-service reimbursement and for compensating the
 10 providers engaged in a systems of care approach and other
 11 nontraditional providers shall be encouraged. A region also
 12 shall be encouraged to use and the department shall approve
 13 funding approaches that identify and incorporate all services
 14 and sources of funding used by persons receiving services,
 15 including medical assistance program funding.
 16 ~~f.~~ (6) Financial forecasting measures.
 17 ~~g.~~ (7) The targeted case managers designated for the
 18 region.
 19 ~~h.~~ (8) The financial eligibility requirements for service
 20 under the regional service system. A plan that otherwise
 21 incorporates the financial eligibility requirements of section
 22 331.395 but allows eligibility for persons with resources above
 23 the minimum resource limitations adopted pursuant to section
 24 331.395, subsection 1, paragraph "c", who were eligible under
 25 resource limitations in effect prior to July 1, 2014, or are
 26 authorized by the region as an exception to policy, shall be
 27 deemed by the department to be in compliance with financial
 28 eligibility requirements of section 331.395.
 29 b. The provisions addressed in the annual plan may include
 30 a plan for the use of anticipated residual funding in excess
 31 of twenty-five percent of the gross expenditures as provided
 32 in section 331.391, subsection 4, paragraph "b", to increase
 33 capacity to provide services to persons with substance-related
 34 disorders and co-occurring mental health and substance-related
 35 disorders.>

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1 2. Page 8, after line 20 by inserting:
 2 < 6. Notwithstanding any other provision of this section to
 3 the contrary, a regional service system may provide funding
 4 to increase capacity to provide services to persons with
 5 substance-related disorders and persons with co-occurring
 6 mental health and substance-related disorders pursuant to
 7 section 331.391, subsection 4, paragraph "b">
 8 3. Page 17, after line 26 by inserting:
 9 <Sec. __.EFFECTIVE DATE. This Act, being deemed of
 10 immediate importance, takes effect upon enactment.>
 11 4. Title page, by striking lines 4 and 5 and inserting
 12 <enforcement professionals, county funding of services for
 13 persons with substance-related disorders and co-occurring mental
 14 health and substance-related disorders, mental health and
 15 disability services, and including effective date provisions.>
 16 5. By renumbering as necessary.

H-8119

- 1 Amend House File 2343 as follows:
 2 1. Page 1, line 5, before <license> by inserting <permit or>
 3 2. Page 1, line 6, by striking <explicitly> and inserting
 4 <clearly>
 5 3. Page 1, line 7, by striking <explicitly> and inserting
 6 <clearly>
 7 4. Page 1, line 8, after <regulation> by inserting <, or is
 8 required by a court ruling, a state or federal executive order,
 9 a state or federal directive that would result in the gain or
 10 loss of specific funding, or a federal waiver>
 11 5. Title page, by striking line 3 and inserting <clear
 12 authorization.>

RIZER of Linn

H-8120

- 1 Amend Senate File 2131, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 2, after line 16 by inserting:
 4 <Sec. __.AREA EDUCATION AGENCIES — ONLINE LEARNING
 5 WORKING GROUP.
 6 1. The area education agencies, in collaboration with the
 7 community colleges and the department of education, shall
 8 convene a working group to identify effective means by which
 9 students may access educational instruction and content online
 10 and shall identify partnerships between existing providers of
 11 rigorous and high-quality online coursework.
 12 2. The working group shall submit its findings to the
 13 general assembly by October 15, 2018.
 14 Sec. __.EFFECTIVE DATE. The section of this Act providing
 15 for an online learning working group, being deemed of immediate
 16 importance, takes effect upon enactment.>
 17 2. Title page, line 4, after <fees> by inserting <,
 18 directing the area education agencies to convene an online
 19 learning working group, and including effective date
 20 provisions.>
 21 3. By renumbering as necessary.

SALMON of Black Hawk

H-8121

- 1 Amend the amendment, H-8102, to House File 2456 as follows:
 2 1. Page 1, after line 1 by inserting:
 3 <__. Page 1, after line 16 by inserting:
 4 <Sec. __. Section 125.82, subsection 4, Code 2018, is
 5 amended to read as follows:
 6 4. The respondent's welfare is paramount, and the hearing
 7 shall be tried as a civil matter and conducted in as informal a

8 manner as is consistent with orderly procedure. The hearing
 9 may be held by video conference at the discretion of the
 10 court. Discovery as permitted under the Iowa rules of civil
 11 procedure is available to the respondent. The court shall
 12 receive all relevant and material evidence, but the court is
 13 not bound by the rules of evidence. A presumption in favor of
 14 the respondent exists, and the burden of evidence and support
 15 of the contentions made in the application shall be upon the
 16 person who filed the application. If upon completion of the
 17 hearing the court finds that the contention that the respondent
 18 is a person with a substance-related disorder has not been
 19 sustained by clear and convincing evidence, the court shall
 20 deny the application and terminate the proceeding.>>
 21 2. Page 5, line 7, after <association,> by inserting <Iowa
 22 behavioral health association,>
 23 3. By renumbering as necessary.

LUNDGREN of Dubuque

H-8122

1 Amend the amendment, H-8096, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 33, through page 2, line 11,
 4 and inserting <pursuant to this subsection ~~are appropriated to~~
 5 ~~by the department area education agencies shall be retained by~~
 6 the area education agencies to be used only for the purpose of
 7 administering this section and shall be established so as not
 8 to exceed the budgeted cost of administering this section ~~to~~
 9 ~~the extent not covered by the moneys appropriated in subsection~~
 10 9. Providing Administrative costs include but are not limited
 11 to technical assistance, professional development necessary
 12 to prepare teachers to participate in the initiative ~~shall be~~
 13 ~~considered a cost of administering this section, and technology~~
 14 platform hosting. ~~Notwithstanding section 8.33, fees collected~~
 15 ~~by the department that remain unencumbered or unobligated~~
 16 ~~at the close of the fiscal year shall not revert but shall~~
 17 ~~remain available for expenditure for the purpose of expanding~~
 18 ~~coursework offered under the initiative in subsequent fiscal~~
 19 ~~years.>>~~
 20 2. By renumbering, redesignating, and correcting internal
 21 references as necessary.

WINCKLER of Scott

H-8123

1 Amend House File 2364 as follows:
 2 1. Page 2, after line 3 by inserting:
 3 <4. A health benefit plan sponsored by a nonprofit
 4 agricultural organization for the nonprofit agricultural
 5 organization's members shall not deny, exclude, or limit

6 benefits for a member for HPV screenings, mammograms, and pap
7 smears.>

BENNETT of Linn

H-8124

1 Amend House File 2364 as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for childhood asthma, autism, dyslexia,
7 attention deficit disorder, respiratory syncytial virus,
8 developmental disabilities, child hearing aids, and juvenile
9 diabetes.>

JACOBY of Johnson

H-8125

1 Amend House File 2364 as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for prenatal care, childbirth, cesarean
7 birth and complications, postbirth care, postpartum depression,
8 preeclampsia, gestational diabetes, neonatal intensive care,
9 and fetal alcohol syndrome.>

NIELSEN of Johnson

H-8126

1 Amend House File 2364 as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for special health and accident insurance
7 coverages pursuant to chapter 514C.>

HALL of Woodbury

H-8127

1 Amend House File 2364 as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for cancer treatment, cancer clinical

7 trials, and cancer screenings.>

OLDSON of Polk

H-8128

1 Amend House File 2364 as follows:

2 1. Page 2, after line 3 by inserting:

3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for mental health, substance abuse, and
7 post-traumatic stress disorder.>

OLDSON of Polk

H-8129

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 32, after <coursework.> by inserting <The
4 department of human services shall conduct a home visit at the
5 home of a student receiving private instruction under chapter
6 299A as described in subsection 1.>

R. SMITH of Black Hawk

H-8130

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 14, after <initiative.> by inserting <The
4 area education agencies, in consultation with the community
5 colleges, shall establish a clearinghouse for the purpose
6 of identifying and distributing information to the public
7 regarding online learning options for high school students.>

WINCKLER of Scott

H-8131

1 Amend Senate File 2131, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 29, after <school.> by inserting <If
4 a student enrolled in the initiative is receiving private
5 instruction under chapter 299A as described in subsection 1,
6 and the coursework provided by the initiative has a laboratory
7 requirement, the initiative shall provide the student's parent
8 or guardian with training on the laboratory equipment before
9 the student may take the course.>

MASCHER of Johnson

H-8132

1 Amend the amendment, H-8120, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, line 7, after <colleges> by inserting <
 4 accredited private institutions as defined in section 261.9,
 5 institutions of higher learning under the control of the state
 6 board of regents,>

MASCHER of Johnson

H-8133

1 Amend the amendment, H-8120, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, before line 3 by inserting:
 4 <_. Page 1, line 29, after <school.> by inserting <The
 5 department shall provide to a student who enrolls in the
 6 initiative and is receiving private instruction under chapter
 7 299A, as described in subsection 1, notice of the available
 8 options for online coursework, including but not limited
 9 to the availability of online coursework from the school
 10 district of residence, the home school assistance program, dual
 11 enrollment, area education agencies including blended learning,
 12 district-to-community college sharing and concurrent enrollment
 13 programs, and community college independent study.>>

14 3. By renumbering as necessary.

WINCKLER of Scott

H-8134

1 Amend the amendment, H-8129, to Senate File 2131, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 3, line 1, by striking <<coursework.>> and inserting <
 4 <coursework.>>
 5 2. Page 1, line 6, after <1> by inserting <during the
 6 time period in which the student is being provided initiative
 7 coursework under this section>

R. SMITH of Black Hawk

H-8135

1 Amend House File 2406 as follows:
 2 1. Page 1, by striking line 21 and inserting <a master
 3 social worker or an independent social worker licensed under
 4 chapters 147 and 154C, or a>
 5 2. Title page, line 2, after <for> by inserting <certain>

DOLECHECK of Ringgold

H-8136

1 Amend the amendment, H-8113, to Senate File 2131, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, before line 5 by inserting:

4 <DIVISION ____

5 EXTREME RISK PROTECTIVE ORDER — FIREARMS

6 Sec. ____ Section 664A.1, subsection 2, Code 2018, is

7 amended to read as follows:

8 2.a. “Protective order” means a protective order issued
9 pursuant to chapter 232, a court order or court-approved
10 consent agreement entered pursuant to this chapter or chapter
11 235F, a court order or court-approved consent agreement entered
12 pursuant to chapter 236 or 236A, including a valid foreign
13 protective order under section 236.19, subsection 3, or section
14 236A.19, subsection 3, a temporary or permanent protective
15 order or order to vacate the homestead under chapter 598, or an
16 order that establishes conditions of release or is a protective
17 order or sentencing order in a criminal prosecution arising
18 from a domestic abuse assault under section 708.2A, or a civil
19 injunction issued pursuant to section 915.22.

20 b. “Protective order” does not include a protective order
21 issued pursuant to chapter 664B.

22 Sec. ____ **NEW SECTION. 664B.1 Definitions.**

23 As used in this chapter unless the context otherwise
24 requires:

25 1. “*Affidavit*” means a written declaration or statement of
26 fact made under oath, or legally sufficient affirmation, before
27 any person authorized to administer oaths within or without the
28 state.

29 2. “*Family member*” means a spouse, person cohabiting, a
30 parent, or other person related by consanguinity or affinity.

31 3. “*Firearm*” includes ammunition and any offensive weapon.

32 4. “*Intimate relationship*” means the same as defined in
33 section 235E.1.

34 5. “*Plaintiff*” means a family member, a person with whom the
35 respondent is having an intimate relationship with, or a peace

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1 officer who files a petition under this chapter.

2 6. “*Possession*” includes ownership, custody, or control.

3 7. “*Respondent*” means a person against whom a protective
4 order is filed under this chapter.

5 Sec. ____ **NEW SECTION. 664B.2 Extreme risk protective order**
6 **— petition.**

7 1. A plaintiff may file a petition in the district court
8 requesting an extreme risk protective order. Venue shall lie
9 in the county where either party resides. The petition shall
10 contain all of the following:

11 *a.* Name of the plaintiff and the name and address of the
12 plaintiff’s attorney, if any. If the plaintiff is proceeding
13 pro se, the petition shall state a mailing address for the

14 plaintiff. A mailing address may be provided by the plaintiff
15 pursuant to section 664B.6.

16 *b.* A statement of facts alleging the respondent presents
17 a significant danger to the respondent's self or others by
18 possessing, shipping, transporting, or receiving firearms
19 accompanied by an affidavit stating the specific statements,
20 actions, or facts that give rise to the reasons the respondent
21 presents a significant danger to the respondent's self or
22 others by possessing, shipping, transporting, or receiving
23 firearms.

24 *c.* The location, type, and number of firearms the plaintiff
25 believes are possessed by the respondent.

26 *d.* Whether the respondent is subject to a current protective
27 order or a no-contact order.

28 *e.* Whether any legal proceeding is pending between the
29 plaintiff and respondent, and if so, the nature of the legal
30 proceeding.

31 *f.* Desired relief, including a request for temporary or
32 emergency orders.

33 2. The filing fee and court costs for an extreme risk
34 protective order shall be waived for the plaintiff.

35 3. The clerk of the district court, the sheriff of any

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1 county in this state, or any peace officer, or corrections
2 officer shall perform their duties relating to service of
3 process without charge to the plaintiff. When an order for
4 an extreme risk protective is entered by the court, the court
5 may direct the respondent to pay to the clerk of court the
6 fees for the filing of the petition and reasonable costs of
7 service of process if the court determines the respondent has
8 the ability to pay the plaintiff's fees and costs. In lieu of
9 personal service of a protective order issued pursuant to this
10 section, the sheriff of any county in this state, and other law
11 enforcement and corrections officers may serve a respondent
12 with a short-form notification pursuant to section 664B.3.

13 Sec. ~~___~~.NEW SECTION. 664B.3 Short-form notification.

14 1. In lieu of personal service of an extreme risk protective
15 order or an emergency extreme risk protective order on a
16 respondent whose firearms are to be surrendered by such an
17 order, a sheriff of any county in this state or any peace
18 officer or corrections officer in this state may serve the
19 respondent with a short-form notification pursuant to this
20 section to effectuate service of an unserved order.

21 2. Service of a short-form notification under this section
22 shall be allowed during traffic stops and other contacts with
23 the respondent by a sheriff, peace officer, or corrections
24 officer in this state in the course of performing official
25 duties. The respondent may be detained for a reasonable period
26 of time to complete the short-form notification process.

27 3. When the short-form notification process is complete,

28 the sheriff, peace officer, or corrections officer serving the
29 notification shall file a copy of the notification with the
30 clerk of the district court. The filing shall indicate the
31 date and time the notification was served on the respondent.
32 4. The short-form notification shall be on a form
33 prescribed by the state court administrator. The state court
34 administrator shall prescribe rules relating to the content
35 and distribution of the form to appropriate law enforcement

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1 agencies in this state. The form shall include but not be
2 limited to all of the following statements:
3 a. The respondent shall immediately surrender all firearms
4 in the respondent's possession and any permit to carry weapons
5 or permit to acquire in the possession of the respondent.
6 b. The respondent is responsible for obtaining a full copy
7 of the extreme risk protective order or emergency extreme risk
8 protective order from the county sheriff of the county in which
9 the order was entered or from the clerk of the district court.
10 c. The terms and conditions of the extreme risk protective
11 order or emergency extreme risk protective order are
12 enforceable, and the respondent is subject to arrest for
13 violating the protective order.
14 Sec. .NEW SECTION. **664B.4 Plaintiffs proceeding pro se**
15 **— provision of forms and assistance.**
16 1. The department of justice shall prescribe standard forms
17 to be used by a plaintiff proceeding pro se when filing a
18 petition under this chapter. The standard forms shall include
19 language in fourteen point boldface type. Standard forms
20 prescribed by the department shall be the exclusive forms used
21 by a plaintiff proceeding pro se, and may be used by other
22 plaintiffs. The department shall distribute the forms to the
23 clerks of the district courts.
24 2. The clerk of the district court shall furnish the
25 required forms to plaintiffs seeking an extreme risk protective
26 order through pro se proceedings pursuant to this chapter.
27 Sec. .NEW SECTION. **664B.5 Assistance by county**
28 **attorney.**
29 A county attorney's office may provide assistance to a
30 plaintiff wishing to initiate proceedings pursuant to this
31 chapter or to a plaintiff at any stage of a proceeding under
32 this chapter, if the plaintiff does not have sufficient funds
33 to pay for legal assistance and if the assistance does not
34 create a conflict of interest for the county attorney's office.
35 The assistance provided may include, but is not limited to,

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1 assistance in obtaining or completing forms, filing a petition
2 or other necessary pleading, presenting evidence to the court,
3 and enforcing the orders of the court entered pursuant to this

4 chapter. Providing assistance pursuant to this section shall
 5 not be considered the private practice of law for the purposes
 6 of section 331.752.

7 Sec. NEW SECTION. **664B.6 Plaintiff's address —**
 8 **confidentiality of records.**

9 1. A plaintiff may use any of the following addresses as a
 10 mailing address for purposes of filing a petition under this
 11 chapter:

12 a. The mailing address of a shelter or other agency.

13 b. A public or private post office box.

14 c. Any other mailing address, with the permission of the
 15 resident of that address.

16 2. A plaintiff shall report any change of address, whether
 17 designated according to subsection 1 or otherwise, to the clerk
 18 of the district court no more than five days after the previous
 19 address on record becomes invalid.

20 3. The entire file or a portion of the file under this
 21 chapter shall be sealed by the clerk of the district court as
 22 ordered by the court to protect the privacy interest or safety
 23 of any person.

24 4. Notwithstanding subsection 3, court orders shall remain
 25 public records, although the court may order that address and
 26 location information be redacted from the public records.

27 Sec. NEW SECTION. **664B.7 Hearing.**

28 1. Not less than five and not more than fifteen days after
 29 commencing a proceeding and upon notice to the other party,
 30 a hearing shall be held at which the plaintiff must prove by
 31 a preponderance of the evidence that the respondent presents
 32 a significant danger to the respondent's self or others by
 33 possessing, shipping, transporting, or receiving firearms.

34 2. Upon hearing, if the court finds by a preponderance of
 35 the evidence that the respondent poses a significant danger

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1 to the respondent's self or others by possessing, shipping,
 2 transporting, or receiving firearms, the court shall issue an
 3 extreme risk protective order for a period of one year.

4 3. In determining whether grounds for an extreme risk
 5 protective order exist, the court may consider any relevant
 6 evidence including but not limited to the following:

7 a. A recent act or threat of violence by the respondent
 8 against the respondent's self or others, and whether such
 9 violence or threat involves a firearm.

10 b. A pattern of acts or threats of violence against the
 11 respondent's self or others within the preceding twelve months
 12 of the filing of the petition.

13 c. Any serious mental impairment of the respondent.

14 d. Any violation of a no-contact order issued for violations
 15 or alleged violations of sections 708.2A, 708.7, 708.11, 709.2,
 16 709.3, and 709.4, and any other public offense for which there
 17 is a victim.

- 18 *e.* Any violation of a protective order issued in a civil
19 proceeding under chapter 232, 235F, 236, 236A, 598, or 915.
- 20 *f.* The issuance of a previous extreme risk protective order
21 against the respondent under this chapter.
- 22 *g.* A violation of a previous extreme risk protective order
23 issued against the respondent under this chapter.
- 24 *h.* A conviction of the respondent for a crime that
25 constitutes domestic abuse assault in violation of section
26 708.2A.
- 27 *i.* The possession of or access to a firearm, or the intent
28 to possess a firearm by the respondent.
- 29 *j.* The unlawful or reckless use, display, or brandishing of
30 a firearm by the respondent.
- 31 *k.* Any history of use, attempted use, or threatened use of
32 physical force by the respondent against another person, or the
33 respondent's history of stalking or harassing another person.
- 34 *l.* Any prior arrest of the respondent for a felony offense
35 or violent crime.

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- 1 *m.* Evidence of abuse of a controlled substance or alcohol
2 by the respondent.
- 3 *n.* Evidence of recent acquisition of a firearm by the
4 respondent.
- 5 4. The court may:
- 6 *a.* Examine under oath the plaintiff, the respondent, and
7 any witnesses that the plaintiff or respondent produces, or
8 in lieu of examination, consider affidavits of the plaintiff,
9 the respondent, or any witnesses the plaintiff or respondent
10 produces.
- 11 *b.* Ensure that a reasonable search has been conducted for
12 criminal history records relating to the respondent.
- 13 5. During the hearing, the court may order a substance abuse
14 evaluation.
- 15 6. An extreme risk protective order shall include all of the
16 following:
- 17 *a.* A statement of the grounds supporting the issuance of the
18 order.
- 19 *b.* The date and time the order was issued.
- 20 *c.* The date and time the order expires.
- 21 *d.* Whether a substance abuse evaluation is required.
- 22 *e.* Whether a responsive pleading may be filed.
- 23 *f.* A description of the firearms to be surrendered.
- 24 *g.* An extreme risk protective order shall contain the
25 following statement:
- 26 To the subject of this protective order: This order remains
27 effective until the date and time noted above. If you have not
28 done so already, you must surrender to the (insert the name of
29 a local law enforcement agency with jurisdiction) all firearms
30 in your possession, custody, or control and surrender any
31 permit to carry weapons or permit to acquire in your possession

32 to such agency. You shall not have in your possession a
 33 firearm, or ship, transport, or receive, or attempt to ship,
 34 transport, or receive such a firearm while this order is in
 35 effect. You have the right to request one hearing to terminate

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1 this order during each twelve-month period that this order is
 2 in effect, starting from the date of this order and continuing
 3 through any extension of the order. If the order requires
 4 a substance abuse evaluation, you must first obtain such
 5 evaluation and disclose the results of the evaluation to the
 6 court prior to requesting a hearing.

7 7. If a hearing is continued, the court may make or extend
 8 any order issued under subsection 2 that it deems necessary.

9 8. Upon the application of a party, the court shall issue
 10 subpoenas requiring attendance and testimony of witnesses and
 11 production of papers.

12 9. The court shall advise the respondent of a right to be
 13 represented by counsel of the respondent's choosing and to have
 14 a continuance to secure counsel.

15 10. If applicable, the court shall determine whether the
 16 respondent has had sufficient opportunity to surrender the
 17 respondent's firearms after service of an emergency extreme
 18 risk protective order issued under section 664B.8.

19 11. Hearings shall be recorded.

20 Sec. .NEW SECTION. **664B.8 Emergency extreme risk**
 21 **protective order.**

22 1. A plaintiff may request that an emergency extreme risk
 23 protective order be issued before a hearing for an extreme
 24 risk protective order under section 664B.7, without notice
 25 to the respondent, by including in the petition detailed
 26 allegations based on personal knowledge that the respondent
 27 poses a significant danger to the respondent's self or others,
 28 in the near future, by possessing, shipping, transporting, or
 29 receiving firearms.

30 2. In considering whether to issue an emergency extreme risk
 31 protective order under this section, the court shall consider
 32 all relevant evidence described in section 664B.7, subsection
 33 3.

34 3. If the court finds there is good cause to believe that
 35 the respondent poses a significant danger to the respondent's

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1 self or others, in the near future, by possessing, shipping,
 2 transporting, or receiving firearms, the court shall issue an
 3 emergency extreme risk protective order.

4 4. The court shall hold an emergency extreme risk protective
 5 order hearing in person or by telephone on the day the petition
 6 is filed.

7 5. When the court is unavailable from the close of business

8 at the end of the day or week to the resumption of business
9 at the beginning of the day or week, a petition may be filed
10 before a district judge, or district associate judge designated
11 by the chief judge of the judicial district, who may grant
12 emergency relief under this section, if the district judge
13 or district associate judge finds there is good cause to
14 believe that the respondent poses a significant danger to the
15 respondent's self or others, in the near future, by possessing,
16 shipping, transporting, or receiving firearms.

17 6. An emergency extreme risk protective order shall include
18 the following:

19 a. A statement of the grounds supporting the issuance of the
20 order.

21 b. The date and time the order was issued.

22 c. The date and time the order expires.

23 d. Whether a responsive pleading may be filed.

24 e. A description of the firearms to be surrendered.

25 f. The date and time of the scheduled hearing.

26 g. An emergency extreme risk protective order shall contain
27 the following statement:

28 To the subject of this protective order: This order remains
29 effective until the date and time noted above. If you have not
30 done so already, you must immediately surrender to the (insert
31 the name of a local law enforcement agency with jurisdiction)
32 all firearms in your possession, custody, or control, and
33 surrender any permit to carry weapons or permit to acquire
34 in your possession to such agency. You shall not have in
35 your possession a firearm, or ship, transport, or receive, or

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1 attempt to ship, transport, or receive such a firearm while
2 this order is in effect. A hearing will be held on the date
3 and time noted above to determine if an extreme risk protective
4 order shall be issued. Failure to appear at that hearing may
5 result in a court entering an extreme risk protective order
6 against you that is valid for a period of one year. You may
7 seek the advice of an attorney as to any matter connected with
8 this order.

9 7. An emergency extreme risk protective order issued under
10 this section shall expire upon the issuance of an extreme
11 risk protective order under section 664B.7 or if the court
12 determines at a hearing on the petition for an extreme risk
13 protective order under section 664B.7 that the plaintiff
14 has not proven by a preponderance of the evidence that the
15 respondent presents a significant danger to the respondent's
16 self or others by possessing, shipping, transporting, or
17 receiving firearms.

18 8. An emergency extreme risk protective order shall be
19 served by the sheriff of any county in this state, a peace
20 officer, or a corrections officer, in the same manner provided
21 in section 664B.2 for the service of the notice and petition,

22 and shall be served concurrently with such notice of hearing
 23 and petition, if possible. Alternatively, an emergency
 24 extreme risk protective order may be served using short-form
 25 notification pursuant to section 664B.3, and shall be served
 26 concurrently with the notice of hearing and petition, if
 27 possible.

28 Sec. ____NEW SECTION. 664B.9 Notice of extreme risk
 29 **protective order or emergency extreme risk protective order.**

30 1. The clerk of the district court or other person
 31 designated by the court shall provide a copy of the extreme
 32 risk protective order or the emergency extreme risk protective
 33 order to the plaintiff.

34 2. The clerk of the district court shall provide a notice
 35 and copy of the protective order to the appropriate law

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1 enforcement agencies and the twenty-four-hour dispatcher for
 2 the law enforcement agencies in the same manner as provided in
 3 section 235F.6, 236.5, or 236A.7, as applicable. The clerk
 4 of the district court shall provide a notice and copy of a
 5 termination or extension of the protective order in the same
 6 manner.

7 Sec. ____NEW SECTION. 664B.10 Termination or extension of
 8 **order.**

9 1. The respondent may request a hearing to terminate
 10 an extreme risk protective order issued under this chapter
 11 during the twelve-month period that the order is in effect,
 12 starting from the date of the order and continuing through any
 13 extensions.

14 a. Upon receipt of a request for a hearing to terminate
 15 an extreme risk protective order, the court shall set a date
 16 for a hearing. Notice of the request shall be served on the
 17 plaintiff. The hearing shall occur no sooner than fourteen
 18 days and no later than thirty days from the date of service of
 19 the request upon the plaintiff.

20 b. The respondent shall have the burden of proving by a
 21 preponderance of the evidence that the respondent does not pose
 22 a significant danger to the respondent's self or others by
 23 possessing, shipping, transporting, or receiving firearms.

24 c. If the court finds after the hearing that the respondent
 25 has met the burden of proof, the court shall terminate the
 26 extreme risk protective order.

27 2. A family member may, by motion, request an extension
 28 of an extreme risk protective order within ninety days of the
 29 expiration of the order.

30 a. Upon receipt of a motion to extend an extreme risk
 31 protective order, the court shall order the hearing be held no
 32 earlier than fourteen days from the date of the motion.

33 b. In considering whether to extend the extreme risk
 34 protective order under this section, the court shall consider
 35 all relevant evidence described in section 664B.7, subsection

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1 3.

2 c. If the court finds by a preponderance of the evidence
3 that the requirements for issuance of an extreme risk
4 protective order continue to be met, the court shall extend
5 the order. However, if, after notice, the motion to extend is
6 uncontested and the plaintiff does not seek a modification of
7 the existing order, the order may be extended on the basis of
8 the plaintiff's motion or affidavit stating that there has been
9 no material change in relevant circumstances since entry of the
10 protective order.

11 Sec. NEW SECTION. **664B.11 Firearms and firearm permits**
12 **— surrender.**

13 1. Upon the issuance of an extreme risk protective order
14 or an emergency extreme risk protective order, the court shall
15 order the respondent to immediately surrender to the law
16 enforcement agency named in the protective order, all firearms
17 possessed by the respondent and any permit to carry weapons
18 or permit to acquire possessed by the respondent, within
19 forty-eight hours of service of the order or within forty-eight
20 hours of a hearing held pursuant to section 664B.7 at which the
21 respondent was present and an order was subsequently issued.

22 2. At the time of surrendering any firearms, a law
23 enforcement officer taking possession of any firearms
24 shall issue a receipt identifying all firearms that have
25 been surrendered and provide a copy of the receipt to the
26 respondent. Within seventy-two hours after service of the
27 order the law enforcement officer serving the order shall file
28 the original receipt with the court and shall ensure that the
29 law enforcement agency retains a copy of the receipt.

30 3. Upon a sworn statement or testimony of the plaintiff or
31 of any law enforcement officer alleging that the respondent has
32 failed to comply with the surrender of firearms and permits
33 as required by any order issued under this section, the court
34 shall determine whether probable cause exists to believe that
35 the respondent has failed to surrender all firearms or permits

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1 in the possession of the respondent. If probable cause exists,
2 the court shall issue a search warrant describing the firearms
3 and authorizing a search of the locations where the firearms
4 are reasonably believed to be and the seizure of any firearms
5 discovered in the search.

6 4. If a person other than the respondent claims to own
7 any of the firearms seized or surrendered pursuant to this
8 chapter, and the law enforcement agency where the firearms are
9 stored determines that person to be the lawful owner of the
10 firearms, the firearms shall be returned to the lawful owner if
11 the lawful owner agrees to store the firearms in such a manner
12 that prevents the respondent from having access to the firearms

13 during the time an extreme risk protective order or emergency
14 extreme risk protective order is in effect.

15 Sec. .**NEW SECTION. 664B.12 Firearm surrender** —
16 **hearing.**

17 Upon the issuance of an extreme risk protective order, the
18 court shall order a new hearing within three business days
19 of the issuance of the order that requires the respondent
20 to provide evidence to the court that the respondent has
21 surrendered any firearms in the possession of the respondent.
22 The court may dismiss the hearing upon a satisfactory showing
23 the respondent has complied with the order.

24 Sec. .**NEW SECTION. 664B.13 Firearms** — **storage.**

25 All law enforcement agencies shall develop policies and
26 procedures by June 1, 2019, regarding the acceptance, storage,
27 and return of firearms surrendered to a law enforcement agency
28 under this chapter.

29 Sec. .**NEW SECTION. 664B.14 Return of firearms and**
30 **unclaimed firearms.**

31 1. If an extreme risk protective order is terminated or
32 expires without an extension, the law enforcement agency in
33 possession of any firearms surrendered by a respondent shall
34 return any such firearms upon request of the respondent,
35 provided the respondent is eligible to possess a firearm.

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1 2. Notwithstanding section 809.21, for firearms that remain
2 unclaimed by the lawful owner, the firearms shall be destroyed
3 pursuant to 661 IAC 95.8.

4 Sec. .**NEW SECTION. 664B.15 Penalties.**

5 1. A person who files a petition under this chapter knowing
6 the information in the petition to be materially false commits
7 a serious misdemeanor.

8 2. A respondent who possesses a firearm, or who ships,
9 transports, or receives, or attempts to ship, transport, or
10 receive a firearm while an extreme risk protective order or
11 emergency extreme risk protective order is in effect commits an
12 aggravated misdemeanor.

13 3. A person who claims ownership of a firearm pursuant to
14 section 664B.11, subsection 4, who agrees to store the firearm
15 in such a manner that prevents a respondent from having access
16 to the firearm commits a serious misdemeanor if the respondent
17 is later found to have access to the firearm that is subject
18 to the agreement while an extreme risk protective order is in
19 effect.

20 4. A respondent who violates subsection 2 shall be
21 prohibited from possessing, shipping, transporting, or
22 receiving a firearm for a period of five years from the date of
23 the conviction.

24 Sec. . Section 724.8, Code 2018, is amended by adding the
25 following new subsections:

26 **NEW SUBSECTION. 7.** Is subject to an extreme risk protective

27 order or an emergency extreme risk protective order issued
 28 under chapter 664B.
 29 NEW SUBSECTION. 8. Has been convicted of a violation of
 30 section 664B.15, subsection 2, within the previous five years.
 31 Sec. _____. Section 724.15, subsection 1, Code 2018, is
 32 amended by adding the following new paragraphs:
 33 NEW PARAGRAPH. *d.* Is subject to an extreme risk protective
 34 order or an emergency extreme risk protective order issued
 35 under chapter 664B.

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1 NEW PARAGRAPH. *e.* Has been convicted of a violation of
 2 section 664B.15, subsection 2, within the previous five years.
 3 Sec. _____. Section 724.26, subsection 2, paragraph a, Code
 4 2018, is amended to read as follows:
 5 *a.* Except as provided in paragraph “b”, a person ~~who is~~
 6 ~~subject to a protective order under 18 U.S.C. §922(g)(8) or who~~
 7 ~~has been convicted of a misdemeanor crime of domestic violence~~
 8 ~~under 18 U.S.C. §922(g)(9) and who knowingly possesses,~~
 9 ships, transports, or receives a firearm, offensive weapon, or
 10 ammunition and who is any of the following is guilty of a class
 11 “D” felony:
 12 (i) Is subject to a protective order under 18 U.S.C.
 13 §922(g)(8).
 14 (ii) Has been convicted of a misdemeanor crime of domestic
 15 violence under 18 U.S.C. §922(g)(9).
 16 (iii) Is subject to an extreme risk protective order under
 17 chapter 664B.

18 DIVISION ____
 19 AREA EDUCATION AGENCIES — ONLINE LEARNING WORKING GROUP>
 20 2. Page 1, line 15, after <This> by inserting <division of
 21 this>
 22 3. Page 1, line 18, after <Act> by inserting <relating to
 23 safety and education by creating an extreme risk protective
 24 order, providing penalties,>
 25 4. Page 1, line 19, by striking <group> and inserting
 26 <group,>
 27 5. By renumbering as necessary.

STAED of Linn

H-8137

1 Amend House File 2130 as follows:
 2 1. Page 2, by striking lines 26 through 29 and inserting
 3 <The request for notice shall state the name, ~~electronic mail~~
 4 ~~address, and post office address of the requester, and the~~
 5 ~~name of the requester’s attorney, if any, and the reason the~~
 6 ~~requester is an interested person in the proceeding. The~~
 7 ~~request for notice shall provide the requester’s post office~~
 8 ~~address, and if available, the requester’s electronic mail~~

9 address and telephone number. The request for notice shall
 10 also provide the requester's attorney's post office address,
 11 electronic mail address, and telephone number.>
 12 2. Page 3, by striking line 34 and inserting and if
 13 available, telephone number and electronic mail address,
 14 describing>

KOESTER of Polk

H-8138

1 Amend House Joint Resolution 2009 as follows:
 2 1. By striking everything after the resolving clause and
 3 inserting:
 4 <Section 1. The following amendment to the Constitution of
 5 the State of Iowa is proposed:
 6 Article I of the Constitution of the State of Iowa is amended
 7 by adding the following new sections:
 8 **Right to automatic voter registration.** SEC. 1A. The people
 9 shall have the right to automatic voter registration.
 10 **Right to early voting.** SEC. 1B. The people shall have the
 11 right to vote early in person at least forty days prior to an
 12 election.
 13 **Right to vote — identification card requirement**
 14 **prohibited.** SEC. 1C. A person shall not be denied the
 15 right to vote based upon the person's lack of presenting an
 16 identification card.
 17 **Felon — right to vote.** SEC. 1D. A person convicted of a
 18 felony shall not be denied the right to vote after discharge
 19 of the felony sentence.
 20 **Election day — holiday — paid time off.** SEC. 1E. The
 21 people shall have a legal public holiday throughout the state
 22 on the first Tuesday after the first Monday in November of each
 23 even-numbered year or be provided sufficient time off from
 24 employment to cast a vote on the first Tuesday after the first
 25 Monday in November of each even-numbered year.
 26 **Absentee ballot.** SEC. 1F. The people shall have the right
 27 to an absentee ballot without fault.
 28 **Polling place — accessibility.** SEC. 1G. The polling place
 29 for elections shall be compliant with laws providing access to
 30 persons with disabilities as enacted by the federal or state
 31 government.
 32 **Same day register to vote.** SEC. 1H. The people shall have
 33 the right to register to vote on the same day of any election.
 34 **Redistricting.** SEC. 1I. The people shall have the
 35 right to fair and independently apportioned senatorial and

PAGE 2

1 representative districts.
 2 **Efficient and accessible voting system.** SEC. 1J. The people
 3 shall have the right to an efficient and accessible voting

4 system.
 5 **Portable voting registration.** SEC. 1K. The people shall
 6 have a right to portable voting registration.
 7 **Voting by mail.** SEC. 1L. The people shall have the right to
 8 vote by mail in each election.
 9 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
 10 amendment to the Constitution of the State of Iowa is referred
 11 to the general assembly to be chosen at the next general
 12 election for members of the general assembly, and the secretary
 13 of state is directed to cause the proposed amendment to be
 14 published for three consecutive months previous to the date of
 15 that election as provided by law.>
 16 2. Title page, by striking line 3 and inserting <vote.>

HUNTER of Polk

H-8139

1 Amend House File 2321 as follows:
 2 1. Page 1, by striking lines 4 through 6.
 3 2. Page 1, line 7, after <A> by inserting <current or
 4 prospective>
 5 3. Page 1, line 8, after <development> by inserting <who
 6 will have access to federal tax information>
 7 4. Page 1, line 11, after <years> by inserting <if such
 8 a check is required pursuant to guidance from the federal
 9 internal revenue service>

HANUSA of Pottawattamie

H-8140

1 Amend the amendment, H-8114, to House File 2405 as follows:
 2 1. Page 1, by striking lines 8 through 12 and inserting:
 3 << b. A civil action for damages for the intentional
 4 failure of a physician to comply with the duty imposed by
 5 licensure pursuant to chapter 148 to provide a patient with
 6 all information reasonably necessary to make decisions about
 7 a pregnancy.>>

WESSEL-KROESCHELL of Story

H-8141

1 Amend House File 2423 as follows:
 2 1. Page 1, by striking lines 7 and 8 and inserting <secure
 3 internet connection, or other secure electronic contact method
 4 designated by the consumer reporting agency. The consumer
 5 must>
 6 2. Page 1, by striking lines 22 through 25 and inserting
 7 <on a nationwide basis, the consumer reporting agency shall
 8 identify, to the best of its knowledge, any other consumer
 9 reporting agency that compiles and maintains files on consumers

10 on a nationwide basis and inform consumers of appropriate
 11 contact information that would permit the consumer to place,
 12 lift, or remove a security freeze from such other consumer
 13 reporting agency.>

14 3. Page 2, by striking lines 2 through 4 and inserting
 15 ~~<facsimile transmissions, the secure internet connection, or~~
 16 ~~other secure electronic media contact method designated by the~~
 17 consumer reporting agency. The consumer reporting agency shall
 18 comply with>

19 4. Page 2, by striking lines 8 through 10 and inserting
 20 ~~<agency through facsimile, the secure internet, connection or~~
 21 ~~other secure electronic contact method chosen~~ designated by the
 22 consumer reporting agency, or the use of>

23 5. Page 5, after line 23 by inserting:
 24 <Sec. __.EFFECTIVE DATE. The following take effect
 25 January 1, 2019:

26 1. The section of this Act amending section 714G.2.

27 2. The section of this Act amending section 714G.3,
 28 subsection 1.

29 3. The section of this Act amending section 714G.4,
 30 unnumbered paragraph 1.>

31 6. Title page, line 3, after <protection> by inserting <,
 32 and including effective date provisions>

33 7. By renumbering as necessary.

NUNN of Polk

H-8142

1 Amend House File 2446 as follows:

2 1. Page 2, after line 10 by inserting:

3 <Sec. __. Section 476.1, subsections 4 and 6, Code 2018,
 4 are amended by striking the subsections.>

5 2. Page 2, by striking lines 17 and 18 and inserting
 6 <sections ~~476.11, 476.29, 476.95, 476.96, 476.100, 476.101,~~
 7 ~~476.95A, 476.95B, and 476.102.>~~

8 3. Page 2, by striking lines 19 through 34 and inserting:

9 <Sec. __. Section 476.1D, subsection 4, Code 2018, is
 10 amended to read as follows:

11 4. Upon deregulation, all investment, revenues, and
 12 expenses associated with the service or facility shall be
 13 removed from the telephone utility's regulated operations and
 14 shall not be considered by the board in setting rates for the
 15 telephone utility unless they continue to affect the utility's
 16 regulated operations. If the board considers investment,
 17 revenues, and expenses associated with unregulated services
 18 or facilities in setting rates for the telephone utility, the
 19 board shall not use any profits or costs from such unregulated
 20 services or facilities to determine the rates for regulated
 21 services or facilities. ~~This section does not preclude the~~
 22 ~~board from considering the investment, revenues, and expenses~~

23 ~~associated with the sale of classified directory advertising~~
24 ~~by a telephone utility in determining rates for the telephone~~
25 ~~utility.~~

26 Sec. ____. Section 476.1D, subsection 10, Code 2018, is
27 amended by striking the subsection.>

28 4. Page 3, after line 1 by inserting:

29 <Sec. ____. Section 476.6, subsection 2, Code 2018, is
30 amended to read as follows:

31 2. *Written notice of increase.* All public utilities,
32 except those exempted from rate regulation by section 476.1
33 and telecommunications service providers registered pursuant
34 to section 476.95A, shall give written notice of a proposed
35 increase of any rate or charge to all affected customers served

PAGE 2

1 by the public utility no more than sixty-two days prior to
2 and prior to the time the application for the increase is
3 filed with the board. Public utilities exempted from rate
4 regulation by section 476.1, except telecommunications service
5 providers registered pursuant to section 476.95A, shall give
6 written notice of a proposed increase of any rate or charge to
7 all affected customers served by the public utility at least
8 thirty days prior to the effective date of the increase. If
9 the public utility is subject to rate regulation, the notice
10 to affected customers shall also state that the customer has a
11 right to file a written objection to the rate increase and that
12 the affected customers may request the board to hold a public
13 hearing to determine if the rate increase should be allowed.
14 The board shall prescribe the manner and method that the
15 written notice to each affected customer of the public utility
16 shall be served.>

17 5. Page 3, after line 3 by inserting:

18 <Sec. ____. Section 476.9, subsections 1, 2, and 3, Code
19 2018, are amended to read as follows:

20 1. Every public utility, except telecommunications service
21 providers registered pursuant to section 476.95A, shall keep
22 and render to the board in the manner and form prescribed by
23 the board uniform accounts of all business transacted.

24 2. Every public utility engaged directly or indirectly in
25 any other business than that of the production, transmission,
26 or furnishing of heat, light, water, ~~or~~ power, or the
27 collection and treatment of sanitary sewage or storm water, ~~or~~
28 ~~the furnishing of communications services to~~ for the public
29 shall, if required by the board, keep and render separately
30 to the board in like manner and form the accounts of all such
31 other business, in which case all the provisions of this
32 chapter shall apply to the books, accounts, papers and records
33 of such other business and all profits and losses may be taken
34 into consideration by the board if deemed relevant to the
35 general fiscal condition of the public utility.

PAGE 3

1 3. Every public utility, except telecommunications service
 2 providers registered pursuant to section 476.95A, is required
 3 to keep and render its books, accounts, papers and records
 4 accurately and faithfully in the manner and form prescribed
 5 by the board, and to comply with all directions of the board
 6 relating to such books, accounts, papers and records.>

7 6. Page 3, after line 30 by inserting:

8 <Sec. _____. Section 476.20, Code 2018, is amended by adding
 9 the following new subsection:

10 NEW SUBSECTION. 6. This section shall not apply to
 11 telecommunications service providers registered pursuant to
 12 section 476.95A.>

13 7. Page 4, after line 26 by inserting:

14 <Sec. _____. Section 476.54, Code 2018, is amended to read as
 15 follows:

16 **476.54 Delayed payment charges.**

17 A public utility shall not apply delayed payment charges
 18 on a customer's account if the scheduled payment was made by
 19 the customer within twenty days from the date the billing was
 20 sent to the customer. Delayed payment charges on a customer's
 21 account shall not exceed one and one-half percent per month
 22 of the past-due amount. This section shall not apply to
 23 telecommunications service providers registered pursuant to
 24 section 476.95A.

25 Sec. _____. Section 476.95, Code 2018, is amended by striking
 26 the section and inserting in lieu thereof the following:

27 **476.95 Internet protocol-enabled service and voice over**
 28 **internet protocol service — regulation.**

29 1. For purposes of this section:

30 a. *"Internet protocol-enabled service"* means any service,
 31 capability, functionality, or application that uses internet
 32 protocol or any successor protocol and enables an end user
 33 to send or receive voice, data, or video communications in
 34 internet protocol format or a successor format.

35 b. *"Political subdivision"* means the same as defined in

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1 section 145A.2.

2 c. *"Voice over internet protocol service"* means an internet
 3 protocol-enabled service that facilitates real-time, two-way
 4 voice communication that originates from, or terminates at, a
 5 user's location and permits the user to receive a call that
 6 originates from the public switched telephone network and to
 7 terminate a call on the public switched telephone network.

8 2. Notwithstanding any other provision of law to the
 9 contrary, a department, agency, board, or political subdivision
 10 of the state shall not regulate, by rule, order, or other means
 11 directly or indirectly, the entry, rates, terms, or conditions
 12 for internet protocol-enabled service or voice over internet

13 protocol service.

14 3. This section shall not be construed to affect, modify,
15 limit, or expand any of the following:

16 a. The authority of the attorney general to take any action
17 pursuant to chapter 537 or section 714.16.

18 b. The application or enforcement of any law that is
19 intended to have general application to the conduct of business
20 in this state.

21 c. Any obligation under section 251 or 252 of the federal
22 Telecommunications Act of 1996.

23 d. Any authority of the board over wholesale
24 telecommunications services, rates, agreements,
25 interconnection, providers, or tariffs.

26 e. Any authority of the board to address or affect the
27 resolution of a dispute regarding intercarrier compensation.

28 f. Any authority of the board, in accordance with state and
29 federal law, to assess voice over internet protocol service for
30 any of the following:

31 (1) Surcharges for 911 emergency services under section
32 34A.7.

33 (2) Assessments for dual party relay service under section
34 477C.7.

35 (3) Direct costs under section 476.10 and a share of

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1 remainder assessments that reflect the service's lesser degree
2 of regulation.

3 Sec. NEW SECTION. **476.95A Annual registration for**
4 **telecommunications service providers.**

5 1. A provider of telecommunications service, as defined in
6 section 476.103, offering telephone numbers to retail customers
7 in this state shall register annually with the board.

8 2. An applicant shall complete an application for
9 registration on a form provided by the board. The form shall
10 include contact information, the approximate number of service
11 lines provided in the state, and any other information deemed
12 necessary by the board.

13 3. Within five business days of the receipt of a completed
14 application for registration, the board shall issue a
15 nonexclusive acknowledgment of compliance with this section.
16 The acknowledgment shall authorize the registrant to obtain
17 telephone numbers, interconnect with other telecommunications
18 service providers, cross railroad rights-of-way pursuant to
19 section 476.27, and provide telecommunications service in this
20 state. An acknowledgment may be transferred by filing a new
21 or updated registration form.

22 4. A registrant shall submit to the board corrections
23 to the information supplied in the registration form
24 within a reasonable time after a change in circumstances,
25 which circumstances would be required to be reported in an
26 application for registration form.

27 5. Refusal to file and maintain an annual registration
 28 pursuant to this section is a violation of this chapter and
 29 may subject a telecommunications service provider to a civil
 30 penalty pursuant to section 476.51.

31 6. Notwithstanding this subsection, the board shall
 32 continue to recognize the validity of, and the rights conferred
 33 upon, a certificate of public convenience and necessity issued
 34 to a telecommunications service provider by the board prior to
 35 July 1, 2018.

PAGE 6

1 Sec. .**NEW SECTION. 476.95B Applicability of authority.**

2 1. The board may exercise any powers reserved or delegated
 3 to the state by the federal Telecommunications Act of 1996
 4 or any other federal law, rule, or order thereunder, and may
 5 hear and resolve any dispute arising thereunder, including but
 6 not limited to intercarrier compensation, interconnection, and
 7 number portability.

8 2. In proceedings under 47 U.S.C. §251-254, the board
 9 shall allocate the costs and expenses of the proceedings to
 10 persons identified as parties in the proceeding who are engaged
 11 in or who seek to engage in providing telecommunications
 12 service or other persons identified as participants in the
 13 proceeding. The funds received for the costs and the expenses
 14 shall be remitted to the treasurer of state for deposit in the
 15 department of commerce revolving fund created in section 546.12
 16 as provided in section 476.10.

17 Sec. . Section 476.102, subsection 2, paragraph d, Code
 18 2018, is amended to read as follows:

19 *d.* The plan should be based on other principles as the board
 20 determines are necessary and appropriate for the protection of
 21 the public interest, convenience, and necessity and consistent
 22 with the purposes of ~~sections 476.95 through 476.101 and this~~
 23 ~~section.~~>

24 8. Page 4, after line 34 by inserting:

25 <Sec. . Section 477A.3, subsection 1, paragraph f, Code
 26 2018, is amended to read as follows:

27 *f.* Documentation that the applicant possesses sufficient
 28 managerial, technical, and financial capability to provide
 29 the cable service or video service proposed in the service
 30 area. ~~An applicant or its subsidiary which has been issued~~
 31 ~~a certificate of public convenience and necessity to provide~~
 32 ~~telephone service pursuant to section 476.29 shall be exempt~~
 33 ~~from the provisions of this paragraph.~~

34 Sec. . Section 477C.7, Code 2018, is amended to read as
 35 follows:

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1 **477C.7 Funding.**

2 1. The board shall impose an ~~annual~~ assessment to fund the

3 programs described in this chapter upon all telecommunications
 4 wireless carriers and wire-line local exchange carriers
 5 providing telecommunications service in the state in the amount
 6 of three cents per month for each telecommunications service
 7 phone number provided in this state.
 8 ~~2. The total assessment shall be allocated as follows:~~
 9 ~~a. Wireless communications service providers shall be~~
 10 ~~assessed three cents per month for each wireless communications~~
 11 ~~service number provided in this state.~~
 12 ~~b.(1) The remainder of the assessment shall be allocated~~
 13 ~~one-half to local exchange telephone utilities and one-half to~~
 14 ~~the following:~~
 15 ~~(a) Interexchange carriers.~~
 16 ~~(b) Centralized equal access providers.~~
 17 ~~(c) Alternative operator services companies.~~
 18 ~~(2) The assessment shall be allocated proportionally based~~
 19 ~~upon revenues from all intrastate regulated, deregulated, and~~
 20 ~~exempt telephone services under sections 476.1 and 476.1D.~~
 21 ~~3. 2. The telecommunications carriers entities subject~~
 22 ~~to assessment shall remit the assessed amounts quarterly to a~~
 23 ~~special fund, as defined under section 8.2, subsection 9. The~~
 24 ~~moneys in the fund are appropriated solely to plan, establish,~~
 25 ~~administer, and promote the relay service and equipment~~
 26 ~~distribution programs.~~
 27 ~~4. 3. The telecommunications carriers entities subject to~~
 28 ~~assessment shall provide the information requested by the board~~
 29 ~~necessary for implementation of the assessment.~~
 30 ~~5. 4. The Wire-line local exchange telephone utilities~~
 31 ~~carriers shall not recover from intrastate access charges~~
 32 ~~any portion of such utilities assessment imposed under this~~
 33 ~~section.>~~
 34 9. Page 8, after line 9 by inserting:
 35 <Sec. ___. Section 714H.4, subsection 1, paragraph d, Code

PAGE 8

1 2018, is amended to read as follows:
 2 ~~d. The provision of local exchange carrier telephone service~~
 3 ~~pursuant to a certificate issued under section 476.29.~~
 4 ~~Sec. ___.REPEAL. Sections 476.11, 476.57, 476.96,~~
 5 ~~476.100, and 476.101, Code 2018, are repealed.>~~
 6 10. By renumbering as necessary.

PETTENGILL of Benton

H-8143

1 Amend House File 2421 as follows:
 2 1. Page 3, by striking lines 30 and 31 and inserting:
 3 <Sec. ___.EFFECTIVE DATE. This Act takes effect January
 4 1, 2020.
 5 Sec. ___.APPLICABILITY. This Act applies January 1, 2020,

- 6 to estates of descendants dying on or after that date.>
 7 2. Title page, line 2, after <including> by inserting
 8 <effective date and>
 9 3. By renumbering as necessary.

BALTIMORE of Boone

H-8144

- 1 Amend House File 2372 as follows:
 2 1. Page 2, by striking lines 4 through 6 and inserting
 3 <“qualifying county” means a county that elects supervisors
 4 under plan “three”>

HUNTER of Polk

H-8145

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 12, after line 24 by inserting:
 4 <DIVISION ____
 5 FINANCIAL LITERACY
 6 Sec. ____ Section 256.11, subsection 5, Code 2018, is
 7 amended by adding the following new paragraph:
 8 NEW PARAGRAPH. *k.* One-half unit of personal finance
 9 literacy. All students shall complete at least one-half unit
 10 of personal finance literacy as a condition of graduation. The
 11 curriculum shall, at a minimum, address the following:
 12 (1) Savings, including emergency fund, purchases, and
 13 wealth building.
 14 (2) Understanding investments, including compound and
 15 simple interest, liquidity, diversification, risk return
 16 ratio, certificates of deposit, money market accounts, single
 17 stocks, bonds, mutual funds, rental real estate, annuities,
 18 commodities, and futures.
 19 (3) Wealth building and college planning, including
 20 long-term and short-term investing using tax-favored plans,
 21 individual retirement accounts and payments from such accounts,
 22 employer-sponsored retirement plans and investments, public and
 23 private educational savings accounts, and uniform gifts and
 24 transfers to minors.
 25 (4) Credit and debt, including credit cards, payday
 26 lending, rent-to-own transactions, debt consolidation,
 27 automobile leasing, cosigning a loan, debt avoidance, and the
 28 marketing of debt, especially to young people.
 29 (5) Consumer awareness of the power of marketing on buying
 30 decisions including zero percent interest offers; marketing
 31 methods, including product positioning, advertising, brand
 32 recognition, and personal selling; how to read a credit report
 33 and correct inaccuracies; how to build a credit score; how to
 34 develop a plan to deal with creditors and avoid bankruptcy; and

35 the federal Fair Debt Collection Practices Act.

PAGE 2

1 (6) Financial responsibility and money management,
2 including creating and living on a written budget and balancing
3 a checkbook; basic rules of successful negotiating and
4 techniques; and personality or other traits regarding money.

5 (7) Insurance, risk management, income, and career
6 decisions, including career choices that fit personality styles
7 and occupational goals, job search strategies, cover letters,
8 resumes, interview techniques, payroll taxes and other income
9 withholdings, and revenue sources for federal, state, and local
10 governments.

11 (8) Different types of insurance coverage including
12 renters, homeowners, automobile, health, disability, long-term
13 care, identity theft, and life insurance; term life, cash
14 value and whole life insurance; and insurance terms such
15 as deductible, stop loss, elimination period, replacement
16 coverage, liability, and out-of-pocket.

17 (9) Buying, selling, and renting advantages and
18 disadvantages relating to real estate, including adjustable
19 rate, balloon, conventional, government-backed, reverse, and
20 seller-financed mortgages.

21 Sec. ___.EFFECTIVE DATE. This division of this Act takes
22 effect July 1, 2019.>

23 2. By renumbering as necessary.

PETTENGILL of Benton

H-8146

1 Amend House File 2303 as follows:

2 1. Page 2, after line 14 by inserting:

3 <Sec. ___. Section 455D.1, Code 2018, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 5A. "*Scrap metal*" means any ferrous or
6 nonferrous metal suitable for reprocessing into a viable market
7 commodity grade specification.>

8 2. Page 4, after line 10 by inserting:

9 <9. Scrap metal as defined in section 455D.1 is not subject
10 to the provisions of this section.>

11 3. By renumbering as necessary.

McKEAN of Jones

H-8147

1 Amend House File 2423 as follows:

2 1. By striking page 4, line 1, through page 5, line 23, and
3 inserting:

4 <Sec. ___.EFFECTIVE DATE. This Act, being deemed of

- 5 immediate importance, takes effect upon enactment.>
 6 2. Title page, lines 2 and 3, by striking <personal
 7 information security breach protection> and inserting
 8 <including effective date provisions>
 9 3. By renumbering as necessary.

NUNN of Polk

H-8148

- 1 Amend House File 2234 as follows:
 2 1. By striking page 1, line 33, through page 2, line 8.
 3 2. Page 4, by striking lines 10 and 11 and inserting
 4 <promptly after the expiration of twelve months, or six months
 5 if the petition includes a waiver of deficiency>
 6 3. Page 4, line 12, after <judgment.> by inserting
 7 <During the first three months, the mortgagee shall engage
 8 in reasonable efforts to resolve the debt without completing
 9 foreclosure, by engaging with the mortgagor in mediation
 10 in accordance with section 654.4B and negotiating the
 11 possibilities of allowing the mortgagor to mitigate the
 12 mortgagor's debt and reaching an agreement with the mortgagor
 13 to modify the mortgage instrument. After the first three
 14 months, the mortgagee shall file with the court an affidavit
 15 of good faith attesting that the mortgagee has engaged in
 16 reasonable efforts to resolve the debt without completing
 17 foreclosure. If, upon review of the affidavit, the court finds
 18 that the mortgagee engaged in reasonable efforts to resolve the
 19 debt and the period of redemption has passed, the mortgaged
 20 real property may proceed to sale.>
 21 4. By renumbering as necessary.

MEYER of Polk

H-8149

- 1 Amend House File 2455 as follows:
 2 1. Page 14, after line 1 by inserting:
 3 <Sec. ____ Section 508.25, Code 2018, is amended to read as
 4 follows:
 5 **508.25 Policy forms — approval.**
 6 It shall be unlawful for any insurance company transacting
 7 business within this state, under the provisions of this
 8 chapter, to ~~write~~ do any of the following:
 9 1. Write or use any form of policy or contract of insurance,
 10 on the life of any individual in this state, until a copy
 11 of such form of policy or contract has been filed with and
 12 approved by the commissioner of insurance.
 13 2. Fail to provide at least thirty calendar days' advance
 14 written notice, by certified mail to a policyholder's last
 15 known address, prior to a change in the policyholder's premium
 16 for the policyholder's universal life policy or contract.

- 17 3. Terminate a policyholder's coverage for failure to pay
 18 a premium for the policyholder's universal life policy or
 19 contract if notification pursuant to subsection 2 is not given
 20 to the policyholder.>
 21 2. Title page, by striking lines 1 and 2 and inserting <An
 22 Act relating to transactions and notifications by domestic
 23 stock insurers and life insurance companies.>
 24 3. By renumbering as necessary.

STAED of Linn

H-8150

- 1 Amend Senate File 2177, as passed by the Senate, as follows:
 2 1. Page 1, by striking lines 7 and 8 and inserting <secure
 3 internet connection, or other secure electronic contact method
 4 designated by the consumer reporting agency. The consumer
 5 must>
 6 2. Page 1, by striking lines 22 through 25 and inserting
 7 <on a nationwide basis, the consumer reporting agency shall
 8 identify, to the best of its knowledge, any other consumer
 9 reporting agency that compiles and maintains files on consumers
 10 on a nationwide basis and inform consumers of appropriate
 11 contact information that would permit the consumer to place,
 12 lift, or remove a security freeze from such other consumer
 13 reporting agency.>
 14 3. Page 2, by striking lines 2 through 4 and inserting
 15 <~~facsimile transmissions, the~~ secure internet connection, or
 16 other secure electronic media contact method designated by the
 17 consumer reporting agency. The consumer reporting agency shall
 18 comply with>
 19 4. Page 2, by striking lines 8 through 10 and inserting
 20 <agency through ~~facsimile, the~~ secure internet, connection or
 21 other secure electronic contact method chosen designated by the
 22 consumer reporting agency, or the use of>
 23 5. Page 4, by striking lines 1 and 2 and inserting:
 24 <Sec. __. Section 715C.1, subsections 1 and 5, Code 2018,
 25 are amended to read as follows:
 26 1. "Breach of security" means unauthorized acquisition,
 27 or reasonable belief of unauthorized acquisition, of personal
 28 information maintained in computerized form by a person that
 29 compromises the security, confidentiality, or integrity of
 30 the personal information. "Breach of security" also means
 31 ~~unauthorized acquisition of personal information maintained~~
 32 ~~by a person in any medium, including on paper, that was~~
 33 ~~transferred by the person to that medium from computerized~~
 34 ~~form and that compromises the security, confidentiality, or~~
 35 ~~integrity of the personal information.~~ Good faith acquisition

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- 1 of personal information by a person or that person's employee

2 or agent for a legitimate purpose of that person is not a
 3 breach of security, provided that the personal information
 4 is not used in violation of applicable law or in a manner
 5 that harms or poses an actual threat to the security,
 6 confidentiality, or integrity of the personal information.
 7 5. “Encryption” means the use of an algorithmic process
 8 pursuant to accepted industry standards to transform data into
 9 a form in which the data is rendered unreadable or unusable
 10 without the use of a confidential process or key.

11 Sec. ____ Section 715C.2, subsections 7 and 8, Code 2018,
 12 are amended to read as follows:

13 7. This section does not apply to any of the following:

14 a. A person who complies with notification requirements or
 15 breach of security procedures that provide greater protection
 16 to personal information and at least as thorough disclosure
 17 requirements than that provided by this section pursuant to
 18 the rules, regulations, procedures, guidance, or guidelines
 19 established by the person’s primary or functional federal
 20 regulator.

21 b. A person who complies with a state or federal law
 22 that provides greater protection to personal information and
 23 at least as thorough disclosure requirements for breach of
 24 security or personal information than that provided by this
 25 section.

26 c. A person who is subject to and complies with regulations
 27 promulgated pursuant to Tit. V of the federal
 28 Gramm-Leach-Bliley Act of 1999, 15 U.S.C. §6801 – 6809.

29 d. A person who is subject to and complies with regulations
 30 promulgated pursuant to Tit. II, subtit. F of the federal
 31 Health Insurance Portability and Accountability Act of 1996,
 32 42 U.S.C. §1320d – 1320d-9, and Tit. XIII, subtit. D of the
 33 federal Health Information Technology for Economic and Clinical
 34 Health Act of 2009, 42 U.S.C. §17921 – 17954.

35 8. Any person who owns or licenses computerized data that

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1 includes a consumer’s personal information that is used in
 2 the course of the person’s business, vocation, occupation,
 3 or volunteer activities and that was subject to a breach of
 4 security requiring notification to more than five hundred
 5 residents of this state pursuant to this section shall give
 6 written notice of the breach of security ~~following discovery~~
 7 ~~of such breach of security, or receipt of notification under~~
 8 ~~subsection 2,~~ to the director of the consumer protection
 9 division of the office of the attorney general within five
 10 business days after giving notice of the breach of security to
 11 any consumer pursuant to this section.

12 Sec. ____EFFECTIVE DATE. The following take effect January
 13 1, 2019:

14 1. The section of this Act amending section 714G.2.

15 2. The section of this Act amending section 714G.3,

16 subsection 1.

17 3. The section of this Act amending section 714G.4,
18 unnumbered paragraph 1.>

19 6. Title page, line 2, after <and> by inserting <personal
20 information security breach protection, and>

21 7. By renumbering as necessary.

NUNN of Polk

H-8151

1 Amend House File 2397 as follows:

2 1. Page 1, after line 25 by inserting:

3 <Sec. NEW SECTION. **901C.3 Simple misdemeanor** —
4 **expungement.**

5 1. Upon application of a defendant convicted of a simple
6 misdemeanor, the court shall enter an order expunging the
7 record of such criminal case as a matter of law if the court
8 finds the defendant has established either of the following:

9 a. More than five years have passed since the date of the
10 conviction, the defendant has not been subsequently convicted
11 of or granted a deferred judgment for any criminal offense,
12 and the defendant is not currently charged with any criminal
13 offense.

14 b. More than ten years have passed since the date of the
15 conviction, the defendant has not been subsequently convicted
16 of or granted a deferred judgment for a felony offense, and the
17 defendant is not currently charged with any criminal offense.

18 2. This section shall not apply to a conviction that is a
19 conviction for a misdemeanor crime of domestic violence, or a
20 simple misdemeanor conviction entered under section 123.46,
21 123.47, subsection 3, or 708.2A, or chapter 321 or 321J.

22 3. An expungement entered under this section shall not
23 be considered an expungement for purposes of 18 U.S.C.
24 §921(a)(33)(B)(ii) or section 724.26, and shall not provide
25 relief from any state or federal firearm disability associated
26 with the expunged conviction.

27 4. Notwithstanding section 692.2, after receipt of
28 notice from the clerk of the district court that a record of
29 conviction has been expunged, the record of conviction shall be
30 removed from the criminal history data files maintained by the
31 department of public safety, if such a record is maintained in
32 the criminal history data files.>

33 2. Title page, lines 1 and 2, by striking <the admissibility
34 of evidence of an employee's> and inserting <a person>

35 3. Title page, line 2, by striking <in civil actions>

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1 4. By renumbering as necessary.

WOLFE of Clinton

H-8152

- 1 Amend the amendment, H-8142, to House File 2446 as follows:
 2 1. Page 4, line 21, after <Any> by inserting <entity's>
 3 2. Page 5, after line 2 by inserting:
 4 <g. Any authority of the board to regulate internet
 5 protocol-enabled service or voice over internet protocol
 6 service pursuant to section 476.91.>

PETTENGILL of Benton

H-8153

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 12, after line 24 by inserting:
 4 <DIVISION ____
 5 NEXT GENERATION SCIENCE STANDARDS — PROHIBITION
 6 Sec. ____ Section 256.7, subsection 26, Code 2018, is
 7 amended by adding the following new paragraph:
 8 NEW PARAGRAPH. *d.* The state board shall not adopt, approve,
 9 or require implementation of the next generation science
 10 standards by school districts and accredited nonpublic schools.
 11 Sec. ____EFFECTIVE UPON ENACTMENT. This division of this
 12 Act, being deemed of immediate importance, takes effect upon
 13 enactment.>
 14 2. By renumbering as necessary.

SALMON of Black Hawk
 WATTS of Dallas
 GASSMAN of Winnebago
 BAXTER of Hancock

SHEETS of Appanoose
 HOLT of Crawford
 HEARTSILL of Marion
 FISHER of Tama

H-8154

- 1 Amend the amendment, H-8149, to House File 2455 as follows:
 2 1. Page 1, lines 15 and 16, by striking <a change in the
 3 policyholder's premium for> and inserting <termination of>
 4 2. Page 1, by striking lines 17 through 20.

STAED of Linn

H-8155

- 1 Amend House File 2410 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 229A.3, Code 2018, is amended by adding
 4 the following new subsection:
 5 NEW SUBSECTION. 6. For purposes of determining whether a
 6 person meets the definition of a sexually violent predator and
 7 for the filing of a petition pursuant to section 229A.4, the
 8 multidisciplinary team, the prosecutor's review committee, and

9 the attorney general shall give equal weighting to a sexually
10 violent predator who has been convicted of or charged with
11 multiple sexually violent offenses against the same victim
12 and to a sexually violent predator who has been convicted of
13 or charged with a sexually violent offense against multiple
14 victims if the number of convictions or charges are equal in
15 number.>

BRECKENRIDGE of Jasper

H-8156

1 Amend House File 2441 as follows:
2 1. Page 1, by striking lines 27 through 31.
3 2. Page 7, after line 2 by inserting:
4 <Sec. __.REPEAL. Section 256D.9, Code 2018, is repealed.>
5 3. Page 7, by striking lines 6 and 7 and inserting:
6 <2. The section of this Act repealing section 256D.9.>
7 4. Page 7, by striking lines 15 and 16.
8 5. By renumbering, redesignating, and correcting internal
9 references as necessary.

STECKMAN of Cerro Gordo

H-8157

1 Amend House File 2431 as follows:
2 1. Page 1, line 8, by striking <theft> and inserting
3 <property offense>
4 2. Page 1, line 19, by striking <theft> and inserting
5 <property offense>
6 3. Page 1, line 21, by striking <theft> and inserting
7 <property offense>
8 4. Page 1, by striking lines 24 and 25 and inserting <has
9 been entered for a criminal offense for committing any of the
10 following:
11 a. Theft of agricultural property under section 714.2,
12 subsection 1, 2, or 3.
13 b. Criminal mischief under section 716.3, 716.4, or 716.5,
14 by damaging, defacing, altering, or destroying agricultural
15 property.
16 2. As used in this section, agricultural property is limited
17 to any of the following:>
18 5. Title page, line 1, by striking <theft> and inserting
19 <property offense>
20 6. Title page, line 2, by striking <the theft of>
21 7. By renumbering, redesignating, and correcting internal
22 references as necessary.

KACENA of Woodbury

H-8158

1 Amend House File 2284 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 615.1A, Code 2018, is amended to read
5 as follows:

6 **615.1A Execution on judgment — claim for rent.**

7 After the expiration of a period of ~~five~~ ten years from the
8 date of entry of judgment of a court not of record, or twenty
9 years from the date of entry of judgment of a court of record,
10 in an action on a claim for rent, exclusive of any time during
11 which execution on the judgment was stayed pending a bankruptcy
12 action or order of court, such judgment shall be null and void,
13 all liens shall be extinguished, and no execution shall be
14 issued. However, in the event that the judgment or the right
15 to collect thereon is sold or otherwise assigned for value to
16 a third party other than a state or federally chartered bank
17 or credit union, such judgment shall be null and void, all
18 liens shall be extinguished, and no execution shall be issued
19 after the expiration of two years from the date of entry of
20 the judgment, exclusive of any time during which execution on
21 the judgment was stayed pending a bankruptcy action or order
22 of court.>

McKEAN of Jones

H-8159

1 Amend House File 2443 as follows:

2 1. Page 1, line 3, by striking <section> and inserting
3 <sections 716.7 and>

4 2. Page 1, by striking lines 8 and 9 and inserting <an
5 organized effort to coordinate services for a child who is
6 alleged to have committed a delinquent act that results in a
7 dismissal of the complaint>

8 3. Page 8, lines 12 and 13, by striking <not be provided
9 by the department.> and inserting <only be disseminated by the
10 department to criminal or juvenile justice agencies for the
11 purpose of administering chapter 692A, to the person who is the
12 subject of the adjudication and custody data or the person's
13 attorney, or to another person with a signed release from the
14 person who is the subject of the adjudication and custody data
15 authorizing the requesting person access to the adjudication
16 and custody data.>

BALTIMORE of Boone

H-8160

- 1 Amend House File 2439 as follows:
 2 1. By striking page 2, line 1, through page 3, line 4.

HIGHFILL of Polk

H-8161

- 1 Amend Senate File 2333, as passed by the Senate, as follows:
 2 1. Page 1, by striking lines 1 through 11 and inserting:
 3 <Section 1. Section 99B.31, subsection 1, paragraph h, Code
 4 2018, is amended to read as follows:
 5 *h.* The actual retail value of any prize does not exceed
 6 ~~one nine~~ hundred fifty dollars. If a prize consists of more
 7 than one item, unit, or part, the aggregate retail value of all
 8 items, units, or parts shall not exceed ~~one nine~~ hundred fifty
 9 dollars.>

MOORE of Cass

H-8162

- 1 Amend House File 2282 as follows:
 2 1. Page 1, by striking lines 1 through 7 and inserting:
 3 <Section 1. Section 99B.31, subsection 1, paragraph h, Code
 4 2018, is amended to read as follows:
 5 *h.* The actual retail value of any prize does not exceed ~~one~~
 6 ~~hundred dollars~~ the designated prize value limit. If a prize
 7 consists of more than one item, unit, or part, the aggregate
 8 retail value of all items, units, or parts shall not exceed ~~one~~
 9 ~~hundred dollars~~ the designated prize value limit. For purposes
 10 of this paragraph, the “designated prize value limit” is nine
 11 hundred fifty dollars for an amusement concession conducted at
 12 a facility that is at least fifteen thousand square feet and is
 13 one hundred dollars for all other amusement concessions.>

MOORE of Cass

H-8163

- 1 Amend House File 2277 as follows:
 2 1. Page 1, by striking lines 16 through 19 and inserting:
 3 <Sec. __. Section 144.43, subsection 3, Code 2018, is
 4 amended to read as follows:
 5 3. However, the following vital statistics records may be
 6 inspected and copied as of right under chapter 22 when they are
 7 in the custody of a county registrar or when they are in the
 8 custody of the state archivist ~~and are at least seventy-five~~
 9 ~~years old~~:
 10 *a.* A record of birth that is at least seventy-five years
 11 old.
 12 *b.* A record of marriage that is at least seventy-five years

- 13 old.
 14 c. A record of divorce, dissolution of marriage, or
 15 annulment of marriage that is at least seventy-five years old.
 16 d. A record of death if that death was not a fetal death
 17 that is at least fifty years old.
 18 e. A record of death that was a fetal death in the custody
 19 of the state archivist that is at least fifty years old.>
 20 2. Title page, line 2, after <archivist> by inserting <or a
 21 county registrar>
 22 3. By renumbering as necessary.

ZUMBACH of Linn

H-8164

- 1 Amend Senate File 2316, as passed by the Senate, as follows:
 2 1. Page 14, after line 1 by inserting:
 3 <Sec. ____ Section 508.25, Code 2018, is amended to read as
 4 follows:
 5 **508.25 Policy forms — approval.**
 6 It shall be unlawful for any insurance company transacting
 7 business within this state, under the provisions of this
 8 chapter, to ~~write~~ do any of the following:
 9 1. Write or use any form of policy or contract of insurance,
 10 on the life of any individual in this state, until a copy
 11 of such form of policy or contract has been filed with and
 12 approved by the commissioner of insurance.
 13 2. Fail to provide at least thirty calendar days' advance
 14 written notice, by certified mail to a policyholder's last
 15 known address, prior to termination of the policyholder's
 16 universal life policy or contract.>
 17 2. Title page, by striking lines 1 and 2 and inserting <An
 18 Act relating to transactions and notifications by domestic
 19 stock insurers and life insurance companies.>
 20 3. By renumbering as necessary.

STAED of Linn

H-8165

- 1 Amend House File 2416 as follows:
 2 1. By striking page 1, line 1, through page 2, line 33, and
 3 inserting:
 4 <Section 1. Section 321.477, Code 2018, is amended to read
 5 as follows:
 6 **321.477 Employees as peace officers — maximum age.**
 7 1. The department may designate by resolution certain of its
 8 employees upon each of whom there is conferred the authority of
 9 a peace officer to enforce all laws of ~~the~~ this state including
 10 but not limited to the rules and regulations of the department.
 11 Employees designated as peace officers pursuant to this section
 12 shall have the same powers, duties, privileges, and immunities

13 conferred by law on peace officers ~~for relating to the~~
14 enforcement of all laws of this state and the apprehension of
15 violators. The department and the department of public safety
16 shall coordinate to provide effective and efficient enforcement
17 of all laws of this state, including any related regulatory
18 actions.

19 ~~2. Employees designated as peace officers pursuant to this~~
20 ~~section who are assigned to the supervision of the highways~~
21 ~~of this state shall spend the preponderance of their time~~
22 ~~conducting enforcement activities that assure the safe and~~
23 ~~lawful movement and operation of commercial motor vehicles and~~
24 ~~vehicles transporting loads, including but not limited to the~~
25 ~~enforcement of motor vehicle laws relating to the operating~~
26 ~~authority, registration, size, weight, and load of motor~~
27 ~~vehicles and trailers, and registration of a motor carrier's~~
28 ~~interstate transportation service with the department.~~

29 ~~3. 2. Employees designated as peace officers pursuant to~~
30 ~~this section shall not exercise the general powers of a peace~~
31 ~~officer within the limits of any city, except as follows:~~

32 ~~a. When so ordered by the direction of the governor.~~

33 ~~b. When request is made by the mayor of any city, with the~~
34 ~~approval of the director.~~

35 ~~c. When request is made by the sheriff or county attorney of~~

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1 any county, with the approval of the director.

2 ~~d. While in the pursuit of law violators or in investigating~~
3 ~~law violations.~~

4 ~~e. While making any inspection provided by this chapter, or~~
5 ~~any additional inspection ordered by the director.~~

6 ~~f. When engaged in the investigation and enforcement of laws~~
7 ~~relating to narcotic, counterfeit, stimulant, and depressant~~
8 ~~drugs.~~

9 ~~4. 3. The limitations specified in subsection 3 2 shall in~~
10 ~~no way be construed as a limitation on the power of employees~~
11 ~~designated as peace officers pursuant to this section when a~~
12 ~~public offense is being committed in their presence.~~

13 ~~5. 4.a. The department shall establish operational~~
14 ~~requirements to assure that at least ninety percent of all~~
15 ~~collective enforcement activities performed by employees~~
16 ~~designated as peace officers pursuant to this section who~~
17 ~~are assigned to the supervision of the highways of this~~
18 ~~state shall be devoted to the protection of highway assets~~
19 ~~and to activities that assure the safe and lawful movement~~
20 ~~and operation of commercial motor vehicles and vehicles~~
21 ~~transporting loads, including but not limited to all of the~~
22 ~~following:~~

23 ~~(1) The enforcement of motor vehicle laws relating to~~
24 ~~the operating authority, registration, size, weight, and~~
25 ~~load of motor vehicles and trailers, and registration of a~~
26 ~~motor carrier's interstate transportation service with the~~

27 department.

28 (2) The enforcement of federal motor carrier safety
 29 regulations and federal motor carrier hazardous materials
 30 regulations as adopted in this chapter and in rules adopted by
 31 the department under this chapter.

32 (3) The performance of activities required for
 33 participation in the motor carrier safety assistance program
 34 and the high priority program administered under 49 C.F.R. pt.
 35 350.

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1 (4) The control and direction of traffic.

2 (5) The enforcement of motor vehicle laws in road work
 3 zones.

4 b. The department shall submit a report to the general
 5 assembly on or before December 1 of each year that details the
 6 nature and scope of enforcement activities conducted in the
 7 previous fiscal year by employees designated as peace officers
 8 pursuant to this section who are assigned to the supervision
 9 of the highways of this state. The report shall include a
 10 comparison of commercial and noncommercial motor vehicle
 11 enforcement activities conducted by such employees and any
 12 other information necessary to demonstrate the department's
 13 compliance with the operational requirements established
 14 pursuant to this section.

15 c. The operational requirements established pursuant to
 16 this section are intended to assure the effective use of the
 17 department's resources. The failure of the department or
 18 employees designated as peace officers pursuant to this section
 19 to meet the operational requirements shall not be a defense to
 20 any charge in the prosecution of a person arrested or issued
 21 a citation in lieu of arrest by an employee designated as a
 22 peace officer pursuant to this section, and shall not create a
 23 private cause of action.

24 6. 5. The maximum age for a person employed as a peace
 25 officer pursuant to this section is sixty-five years of age.>

26 2. By renumbering as necessary.

WORTHAN of Buena Vista

H-8166

1 Amend House File 2342 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 481A.11, Code 2018, is amended to read
 4 as follows:

5 **481A.11 Confiscated or accidentally killed game.**

6 Except as provided in section 481A.13 or 481A.13A, any game
 7 or fish seized by the commission under section 481A.12 or any
 8 game accidentally killed by a motor vehicle on a public highway
 9 shall, when salvageable, be disposed of as determined by the

10 commission or its designee.

11 Sec. ____ Section 481A.12, Code 2018, is amended to read as
12 follows:

13 **481A.12 Seizure of wildlife taken or handled illegally.**

14 The director or any peace officer shall seize with or
15 without warrant and take possession of, ~~or direct the disposal~~
16 ~~of~~ any fish, furs, birds, or animals, or mussels, clams, or
17 frogs, which have been caught, taken, or killed at a time,
18 in a manner, or for a purpose, or had in possession or under
19 control, or offered for shipment, or illegally transported in
20 the state or to a point beyond its borders, contrary to the
21 Code. All fish, furs, birds, or animals, or mussels, clams,
22 or frogs seized under this section ~~may~~ shall be relinquished
23 to a representative of the commission ~~or disposed of and kept~~
24 as provided in section 481A.13.

25 Sec. ____ Section 481A.13, Code 2018, is amended to read as
26 follows:

27 **481A.13 Search warrants.**

28 Any court having jurisdiction of the offense, upon receiving
29 proof of probable cause for believing that any fish, mussels,
30 clams, frogs, birds, furs, or animals caught, taken, killed,
31 had in possession, under control, or shipped, contrary to the
32 Code, or hidden or concealed in any place, shall issue a search
33 warrant and cause a search to be made in any place therefor.
34 The property so seized under warrant shall be safely kept under
35 the direction of the court so long as necessary for the purpose

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1 of being used as evidence in any trial, and if a trial results
2 in a conviction the property seized shall be confiscated by the
3 director or the director's officers. If the trial does not
4 result in a conviction, the property shall be returned to the
5 person pursuant to section 481A.13A.

6 Sec. ____ NEW SECTION. **481A.13A Conviction required for**
7 **property confiscation — return of property.**

8 1. The state shall not confiscate property seized under
9 section 481A.12 or 481A.13 unless the person from whom the
10 property was seized is convicted of the violation for which the
11 property was seized.

12 2. If the person from whom the property was seized is not
13 convicted of the violation for which the property was seized,
14 the department, law enforcement agency, or other governmental
15 agency in possession of the seized property shall return the
16 seized property to the person within thirty days of any of the
17 following:

- 18 a. The date the person is found not guilty of the violation.
 - 19 b. The date the action involving the violation is dismissed.
 - 20 c. The date the statute of limitations expires for the
21 alleged violation for which the property was seized.
- 22 3. For purposes of this section, "convicted" includes
23 a finding of guilt, payment of a scheduled fine, a plea of

24 guilty, deferred judgment, deferred or suspended sentence,
 25 adjudication of delinquency, or circumstance where a person is
 26 not charged with a criminal offense related to the violation
 27 based in whole or in part on the person's agreement to provide
 28 information regarding the criminal activity of another person.
 29 Sec. ____ Section 483A.32, Code 2018, is amended to read as
 30 follows:

31 **483A.32 Public nuisance.**

32 1. Any Subject to subsection 2, any device, contrivance,
 33 or material used to violate a rule adopted by the commission,
 34 or any other provision of this chapter or chapter 481A, 481B,
 35 482, 484A, or 484B, is a public nuisance and may be condemned

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1 by the state. The director, the director's officers, or
 2 any peace officer, shall seize the devices, contrivances,
 3 or materials used as a public nuisance, without warrant or
 4 process, and deliver them to a magistrate having jurisdiction.
 5 An automobile shall not be construed to be a public nuisance
 6 under this section.

7 2. The state may only condemn property seized as a public
 8 nuisance if the person from whom the property was seized is
 9 convicted of the violation for which the property was seized as
 10 a public nuisance.

11 3. If the person from whom the property was seized is not
 12 convicted of the violation for which the property was seized,
 13 the department, law enforcement agency, or other governmental
 14 agency in possession of the seized property shall return the
 15 seized property to the person within thirty days of any of the
 16 following:

17 a. The date the person is found not guilty of the violation,
 18 b. The date the action involving the violation is dismissed,
 19 c. The date the statute of limitations expires for the
 20 alleged violation for which the property was seized.

21 4. For purposes of this section, "convicted" means the same
 22 as in section 481A.13A, subsection 3.

23 Sec. ____ Section 483A.33, subsection 3, paragraph a, Code
 24 2018, is amended to read as follows:

25 a. The person from whom the property was seized may make
 26 application for its return in the office of the clerk of the
 27 district court for the county in which the property was seized.
 28 The application shall be filed within thirty days after
 29 the receipt of the notice of condemnation or the person is
 30 convicted of the violation for which the property was seized,
 31 whichever occurs later. Failure to file the application within
 32 this time period terminates the interest of the person and the
 33 ownership of the property shall be transferred to the state,
 34 except that a person who is not convicted of the violation
 35 for which the property was seized is not required to file an

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1 application and is entitled to the return of the property in
2 accordance with section 483A.32.

3 Sec. _____. Section 483A.33, subsection 4, Code 2018, is
4 amended to read as follows:

5 4. If an application for return of condemnable property
6 is timely and of sufficient grounds, the claim shall be set
7 for hearing. The hearing shall be held not less than ten nor
8 more than thirty days after the filing of the claim claim is
9 filed or the person is convicted for the violation for which
10 the property was seized as a public nuisance, whichever occurs
11 later. The proceeding shall be conducted by a magistrate or
12 a district associate judge. All claims to the same property
13 shall be heard in one proceeding, unless it is shown that the
14 proceeding would result in prejudice to one or more of the
15 parties.

16 Sec. _____. Section 483A.33, subsection 5, Code 2018, is
17 amended by adding the following new paragraphs:

18 NEW PARAGRAPH. c. On or before December 31, 2018, and
19 on or before December 1 each year thereafter, the department
20 shall report to the general assembly's standing committees
21 on government oversight regarding the amount of the proceeds
22 deposited to the state fish and game protection fund pursuant
23 to this subsection. The report shall also contain all
24 information recorded pursuant to paragraph "d".

25 NEW PARAGRAPH. d. A seizing public agency that has custody
26 of any property that is seized pursuant to a provision of this
27 subchapter shall adopt and comply with a written internal
28 control policy that does all of the following:

29 (1) Provides for keeping detailed records as to the amount
30 of property acquired by the agency and the date property was
31 acquired.

32 (2) Provides for keeping detailed records of the
33 disposition of the property, which shall include the manner
34 in which the property was disposed, the date of disposition,
35 and detailed financial records concerning any property sold.

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1 The records shall not identify or enable identification of the
2 individual officer who seized any item of property or the name
3 of any person or entity who received any item of property.

4 NEW PARAGRAPH. e. The records kept under the internal
5 control policy shall be open to public inspection during the
6 agency's regular business hours. The policy adopted under this
7 section is a public record open for inspection under chapter
8 22.>

9 2. Page 1, line 2, by striking <subsection> and inserting
10 <subsections>

11 3. Page 1, line 5, after <purchase> by inserting <a fish,
12 fur, bird, animal, mussel, clam, or frog seized pursuant to

13 section 481A.12, a device, contrivance, or material condemned
 14 pursuant to section 483A.32, or>
 15 4. Page 1, line 10, after <seizing> by inserting <public>
 16 5. Page 1, after line 12 by inserting:
 17 <NEW SUBSECTION. 7. For purposes of this section,
 18 “convicted” means the same as in section 481A.13A, subsection
 19 3.>
 20 6. Title page, by striking lines 1 and 2 and inserting <An
 21 Act relating to the seizure and disposition of property by the
 22 department of natural resources and requiring a report.>
 23 7. By renumbering as necessary.

HEARTSILL of Marion

H-8167

1 Amend House File 2441 as follows:
 2 1. Page 7, after line 2 by inserting:
 3 <Sec. ____ Section 298A.12, Code 2018, is amended to read
 4 as follows:
 5 **298A.12 Child care fund.**
 6 1. A child care fund is an enterprise fund. A child care
 7 fund must be established in any school corporation receiving
 8 moneys from the child care program authorized under section
 9 279.49.
 10 2. If the sum of the fees collected under section 279.49 for
 11 participation in a before and after school program and other
 12 moneys deposited in the fund as the result of the before and
 13 after school program exceeds the amount necessary to operate
 14 the before and after school program, the excess amount may,
 15 following a public hearing, be transferred by resolution of
 16 the board of directors of the school corporation for deposit
 17 in the general fund of the school corporation to be used for
 18 school district general fund purposes. The board shall publish
 19 notice of the time and the place of the public hearing in
 20 the same manner as required in section 24.9. The resolution
 21 transferring the excess amount shall state the original source
 22 and purpose of the funds, the method used to establish fee
 23 amounts for the before and after school program under section
 24 279.49, subsection 4, the proposed use of such funds, and the
 25 amount of the transfer. The department of education shall
 26 prescribe the form for public hearing notices. The board shall
 27 provide a copy of the resolution to the department of education
 28 and shall make the resolution available for any audit performed
 29 under chapter 11. A transfer under this subsection does not
 30 increase a school district’s authorized expenditures as defined
 31 in section 257.7.>
 32 2. Page 7, after line 11 by inserting:
 33 <5. The section of this Act amending section 298A.12.>
 34 3. Page 7, after line 20 by inserting:
 35 <5. The section of this Act amending section 298A.12.>

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1 4. By renumbering as necessary.

KOESTER of Polk

H-8168

1 Amend House File 2441 as follows:
2 1. Page 7, after line 2 by inserting:
3 <Sec. ____ Section 299A.12, Code 2018, is amended by adding
4 the following new subsection:
5 NEW SUBSECTION. 3A. The purposes for and limitations on
6 the expenditure of funds under subsections 2 and 3 shall not
7 be construed to prohibit a school corporation from authorizing
8 the use of items and materials purchased for the home school
9 assistance program for school district purposes other than the
10 home school assistance program so long as the authorized use
11 does not prevent or interfere with the item or material's use
12 by parents or students utilizing the program.>
13 2. Page 7, after line 11 by inserting:
14 <5. The section of this Act amending section 299A.12.>
15 3. Page 7, after line 20 by inserting:
16 <5. The section of this Act amending section 299A.12.>
17 4. By renumbering as necessary.

KOESTER of Polk

H-8169

1 Amend House File 2280 as follows:
2 1. Page 1, after line 18 by inserting:
3 <Sec. ____ EFFECTIVE DATE. This Act, being deemed of
4 immediate importance, takes effect upon enactment.
5 Sec. ____ RETROACTIVE APPLICABILITY. This Act applies
6 retroactively to July 1, 2012, for individuals who completed
7 the course requirements for an approved practitioner
8 preparation program but attained an assessment score below that
9 required for successful completion of the program under section
10 256.16, subsection 1, paragraph "a", subparagraph (2), Code
11 2018. Such an individual shall be deemed to have successfully
12 completed the practitioner preparation program for purposes
13 of section 256.16 and is eligible to submit an application
14 for an initial license to the board of educational examiners,
15 which may issue the initial license for a period of time at its
16 discretion.>
17 2. Title page, line 3, after <program> by inserting <,
18 and including effective date and retroactive applicability
19 provisions>

MOORE of Cass

H-8170

1 Amend House File 2467 as follows:

2 1. Page 1, line 7, by striking <five> and inserting <one>

3 2. Page 1, line 33, by striking <shall> and inserting <is
4 encouraged to>

5 3. Page 2, after line 20 by inserting:

6 <(4) Providing an alternative meal that is only offered to
7 a student who has accrued meal debt. A school that offers the
8 option of an alternative meal shall present the meal in the
9 same manner to any student requesting an alternative meal so as
10 not to identify a student as having accrued meal debt.>

11 4. Page 2, line 22, by striking <and not to the student>
12 and inserting <and may discreetly provide information about
13 the student's meal account to the student as long as the
14 communication with the student does not violate paragraph "a">

KOESTER of Polk
PRICHARD of Floyd
HAGER of Allamakee

RUNNING-MARQUARDT of Linn
GAINES of Polk
HINSON of Linn

H-8171

1 Amend House File 2401 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 SEXUALLY VIOLENT PREDATORS ACCUMULATION OF EARNED TIME

6 Section 1. Section 229A.2, subsection 4, Code 2018, is
7 amended to read as follows:

8 4. "*Discharge*" means an unconditional discharge from the
9 sexually violent predator program. A person released from a
10 secure facility into a transitional release program or released
11 with ~~or without~~ supervision is not considered to be discharged.

12 Sec. 2. Section 229A.5B, subsection 1, unnumbered paragraph
13 1, Code 2018, is amended to read as follows:

14 A person who is detained pursuant to section 229A.5 or is
15 subject to an order of civil commitment under this chapter
16 shall remain in custody unless released by court order or
17 discharged under section 229A.8 or 229A.10. A person who has
18 been placed in a transitional release program or who is under
19 release with ~~or without~~ supervision is considered to be in
20 custody. A person in custody under this chapter shall not do
21 any of the following:

22 Sec. 3. Section 229A.5C, subsection 4, Code 2018, is amended
23 to read as follows:

24 4. A person who committed a public offense while in a
25 transitional release program or on release with ~~or without~~
26 supervision may be returned to a secure facility operated by
27 the department of human services upon completion of any term
28 of confinement that resulted from the commission of the public
29 offense.

30 Sec. 4. Section 229A.6A, subsection 1, paragraph d, Code
31 2018, is amended to read as follows:
32 d. To a facility for placement or treatment in a
33 transitional release program or for release with ~~or without~~
34 supervision. A transport order is not required under this
35 paragraph.

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1 Sec. 5. Section 229A.7, subsection 7, Code 2018, is amended
2 to read as follows:
3 7. The control, care, and treatment of a person determined
4 to be a sexually violent predator shall be provided at a
5 facility operated by the department of human services. At all
6 times prior to placement in a transitional release program
7 or release with ~~or without~~ supervision, persons committed
8 for control, care, and treatment by the department of human
9 services pursuant to this chapter shall be kept in a secure
10 facility and those patients shall be segregated at all times
11 from any other patient under the supervision of the department
12 of human services. A person committed pursuant to this chapter
13 to the custody of the department of human services may be kept
14 in a facility or building separate from any other patient
15 under the supervision of the department of human services.
16 The department of human services may enter into a chapter
17 28E agreement with the department of corrections or other
18 appropriate agency in this state or another state for the
19 confinement of patients who have been determined to be sexually
20 violent predators. Patients who are in the custody of the
21 director of the department of corrections pursuant to a chapter
22 28E agreement and who have not been placed in a transitional
23 release program or released with ~~or without~~ supervision shall
24 be housed and managed separately from criminal offenders in
25 the custody of the director of the department of corrections,
26 and except for occasional instances of supervised incidental
27 contact, shall be segregated from those offenders.
28 Sec. 6. Section 229A.8, subsection 5, paragraph e,
29 subparagraph (2), Code 2018, is amended to read as follows:
30 (2)(a) If the committed person shows by a preponderance
31 of the evidence that a final hearing should be held on either
32 determination under subparagraph (1), subparagraph division (a)
33 or (b), or both, the court shall set a final hearing within
34 sixty days of the determination that a final hearing be held.
35 (b) The committed person may waive the sixty-day final

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1 hearing requirement under subparagraph subdivision (a):
2 however, the committed person or the attorney for the committed
3 person may reassert a demand that the final hearing be held
4 within sixty days from the date of filing the demand with the
5 clerk of court.

6 (c) The final hearing may be continued upon request of
 7 either party and a showing of good cause, or by the court
 8 on its own motion in the due administration of justice, and
 9 if the committed person is not substantially prejudiced. In
 10 determining what constitutes good cause, the court shall
 11 consider the length of the pretrial detention of the committed
 12 person.

13 Sec. 7. Section 229A.8B, subsection 3, Code 2018, is amended
 14 to read as follows:

15 3. Upon the return of the committed person to a secure
 16 facility, the director of human services or the director's
 17 designee shall notify the court that issued the ex parte order
 18 that the absconder has been returned to a secure facility, and
 19 the court shall set a hearing ~~within five days~~ to determine if
 20 a violation occurred. If a court order was not issued, the
 21 director or the director's designee shall contact the nearest
 22 district court with jurisdiction to set a hearing to determine
 23 whether a violation of the rules or directives occurred. The
 24 court shall schedule a hearing ~~within five days of~~ after
 25 receiving notice that the committed person has been returned
 26 from the transitional release program to a secure facility.

27 Sec. 8. Section 229A.9A, Code 2018, is amended to read as
 28 follows:

29 **229A.9A Release with ~~or without~~ supervision.**

30 1. In any proceeding under section 229A.8, the court may
 31 order the committed person released with ~~or without~~ supervision
 32 if any of the following apply:

- 33 a. The attorney general stipulates to the release with ~~or~~
 34 ~~without~~ supervision.
 35 b. The court or jury has determined that the person should

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1 ~~be discharged~~ released from the program a secure facility or
 2 a transitional release program, but the court has determined
 3 the person suffers from a mental abnormality and it is in the
 4 best interest of the community to order release with ~~or without~~
 5 supervision before the committed person is discharged.

6 2. If release with ~~or without~~ supervision is ordered, the
 7 department of human services shall prepare within sixty days of
 8 the order of the court a release plan addressing the person's
 9 needs for counseling, medication, community support services,
 10 residential services, vocational services, alcohol or other
 11 drug abuse treatment, sex offender treatment, or any other
 12 treatment or supervision necessary.

13 3. The court shall set a hearing on the release plan
 14 prepared by the department of human services before the
 15 committed person is released from a secure facility or a
 16 transitional release program.

17 4. If the court orders release with supervision, the court
 18 shall order supervision by an agency with jurisdiction that
 19 is familiar with the placement of criminal offenders in the

20 community. The agency with jurisdiction shall be responsible
21 for initiating proceedings for violations of the release plan
22 as provided in section 229A.9B. ~~If the court orders release~~
23 ~~without supervision, the agency with jurisdiction shall also be~~
24 ~~responsible for initiating proceedings for any violations of~~
25 ~~the release plan as provided in section 229A.9B.~~

26 5. A committed person may not petition the court for release
27 with ~~or without~~ supervision.

28 6. A committed person released with ~~or without~~ supervision
29 is not considered discharged from civil commitment under this
30 chapter.

31 7. After being released with ~~or without~~ supervision, the
32 person may petition the court for discharge as provided in
33 section 229A.8.

34 8. The court shall retain jurisdiction over the committed
35 person who has been released with ~~or without~~ supervision until

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1 the person is discharged from the program. The department
2 of human services or a judicial district department of
3 correctional services shall not be held liable for any acts
4 committed by a committed person who has been ordered released
5 with ~~or without~~ supervision.

6 Sec. 9. Section 229A.9B, Code 2018, is amended to read as
7 follows:

8 **229A.9B Violations of release with ~~or without~~ supervision.**

9 1. If a committed person violates the release plan, the
10 agency with jurisdiction over the person may request the
11 district court to issue an emergency ex parte order directing
12 any law enforcement officer to take the person into custody
13 so that the person can be returned to a secure facility.

14 The request for an ex parte order may be made orally or by
15 telephone, but the original written request or a facsimile copy
16 of the request shall be filed with the clerk of court no later
17 than 4:30 p.m. on the next business day the office of the clerk
18 of court is open.

19 2. If a committed person has absconded in violation of the
20 conditions of the person's release plan, a presumption arises
21 that the person poses a risk to public safety. The department
22 of human services or contracting agency, in cooperation with
23 local law enforcement agencies, may make a public announcement
24 about the absconder. The public announcement may include a
25 description of the committed person, that the committed person
26 is on release with ~~or without~~ supervision from the sexually
27 violent predator program, and any other information pertinent
28 to public safety.

29 3. Upon the return of the committed person to a secure
30 facility, the director of human services or the director's
31 designee shall notify the court that issued the ex parte
32 order that the committed person has been returned to a secure
33 facility, and the court shall set hearing within five days to

34 determine if a violation occurred. If a court order was not
 35 issued, the director or the director's designee shall contact

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1 the nearest district court with jurisdiction to set a hearing
 2 to determine whether a violation of the conditions of the
 3 release plan occurred. The court shall schedule a hearing
 4 ~~within five days of~~ after receiving notice that the committed
 5 person has been returned to a secure facility.

6 4. At the hearing, the burden shall be upon the attorney
 7 general to show by a preponderance of the evidence that a
 8 violation of the release plan occurred.

9 5. If the court determines a violation occurred, the court
 10 shall receive release recommendations from the department of
 11 human services and either order that the committed person be
 12 returned to release with ~~or without~~ supervision or placed
 13 in a transitional release program, or be confined in a
 14 secure facility. The court may impose further conditions
 15 upon the committed person if returned to release with ~~or~~
 16 ~~without~~ supervision or placed in the transitional release
 17 program. If the court determines no violation occurred, the
 18 committed person shall be returned to release with ~~or without~~
 19 supervision.

20 Sec. 10. Section 229A.15, Code 2018, is amended to read as
 21 follows:

22 **229A.15 Court records — sealed and opened by court order.**

23 1. Any Except as otherwise provided in this section, any
 24 psychological reports, drug and alcohol reports, treatment
 25 records, reports of any diagnostic center, medical records, or
 26 victim impact statements which have been submitted to the court
 27 or admitted into evidence under this chapter shall be part of
 28 the record but shall be sealed and opened only on order of the
 29 court.

30 2. The documents described in subsection 1 shall be
 31 available to the prosecuting attorney or attorney general, the
 32 committed person, and the attorney for the committed person
 33 without an order of the court.

34 Sec. 11. Section 901A.2, subsection 6, Code 2018, is amended
 35 to read as follows:

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1 6. A person who has been placed in a transitional release
 2 program, released with ~~or without~~ supervision, or discharged
 3 pursuant to chapter 229A, and who is subsequently convicted of
 4 a sexually predatory offense or a sexually violent offense,
 5 shall be sentenced to life in prison on the same terms as
 6 a class "A" felon under section 902.1, notwithstanding any
 7 other provision of the Code to the contrary. The terms and
 8 conditions applicable to sentences for class "A" felons under
 9 chapters 901 through 909 shall apply to persons sentenced under

10 this subsection. However, if the person commits a sexually
11 violent offense which is a misdemeanor offense under chapter
12 709, the person shall be sentenced to life in prison, with
13 eligibility for parole as provided in chapter 906.

14 Sec. 12. Section 903A.2, subsection 1, paragraph a,
15 subparagraph (2), Code 2018, is amended to read as follows:

16 (2) However, an inmate required to participate in a sex
17 offender treatment program shall not be eligible for a any
18 reduction of sentence ~~unless~~ until the inmate participates in
19 and completes a sex offender treatment program established by
20 the director.

21 Sec. 13. Section 903A.2, subsection 1, paragraph b,
22 subparagraph (2), Code 2018, is amended to read as follows:

23 (2) An inmate required to participate in a domestic abuse
24 treatment program shall not be eligible for a any reduction of
25 sentence ~~unless~~ until the inmate participates in and completes
26 a domestic abuse treatment program established by the director.

27 Sec. 14. Section 903A.3, subsection 1, Code 2018, is amended
28 to read as follows:

29 1. Upon finding that an inmate has violated an institutional
30 rule, has failed to complete a sex offender or domestic abuse
31 treatment program as specified in section 903A.2, or has
32 had an action or appeal dismissed under section 610A.2, the
33 independent administrative law judge may order forfeiture of
34 any or all earned time accrued and not forfeited up to the
35 date of the violation by the inmate and may order forfeiture

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1 of any or all earned time accrued and not forfeited up to
2 the date the action or appeal is dismissed, unless the court
3 entered such an order under section 610A.3. The independent
4 administrative law judge has discretion within the guidelines
5 established pursuant to section 903A.4, to determine the amount
6 of time that should be forfeited based upon the severity of the
7 violation. Prior violations by the inmate may be considered by
8 the administrative law judge in the decision.

9 DIVISION II

10 CHILD ABUSE — SEXUAL OFFENSES AND SEX OFFENDERS

11 Sec. 15. Section 232.68, subsection 2, paragraph a,
12 subparagraph (3), Code 2018, is amended to read as follows:

13 (3) The commission of a sexual offense with or to a child
14 pursuant to chapter 709, section 726.2, or section 728.12,
15 subsection 1, as a result of the acts or omissions of the
16 person responsible for the care of the child or of a person who
17 is fourteen years of age or older and resides in a home with
18 the child. Notwithstanding section 702.5, the commission of
19 a sexual offense under this subparagraph includes any sexual
20 offense referred to in this subparagraph with or to a person
21 under the age of eighteen years.

22 Sec. 16. Section 232.68, subsection 2, paragraph a,
23 subparagraph (9), Code 2018, is amended to read as follows:

24 (9)(a) ~~Knowingly~~ A person who is responsible for the
 25 care of a child knowingly allowing a person another person
 26 custody or of control over, or unsupervised access to a
 27 child or minor under the age of fourteen or a child with
 28 a physical or mental disability, after knowing the person
 29 other person is required to register or is on the sex offender
 30 registry under chapter 692A for a violation of section 726.6.
 31 (b) ~~This subparagraph does not apply in any of the following~~
 32 ~~circumstances:~~
 33 (i) A child living with a parent or guardian who is a sex
 34 offender required to register or on the sex offender registry
 35 under chapter 692A.

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1 (ii) A child living with a parent or guardian who is married
 2 to and living with a sex offender required to register or on
 3 the sex offender registry under chapter 692A.
 4 (iii) A child who is a sex offender required to register or
 5 on the sex offender registry under chapter 692A who is living
 6 with the child's parent, guardian, or foster parent and is also
 7 living with the child to whom access was allowed.
 8 (c) For purposes of this subparagraph, "control over" means
 9 any of the following:
 10 (i) A person who has accepted, undertaken, or assumed
 11 supervision of a child from the parent or guardian of the
 12 child.
 13 (ii) A person who has undertaken or assumed temporary
 14 supervision of a child without explicit consent from the parent
 15 or guardian of the child.

DIVISION III

SEX OFFENDERS AND PREDATORS — REGISTRATION AND CHILD ENDANGERMENT

19 Sec. 17. Section 692A.101, subsection 14, Code 2018, is
 20 amended to read as follows:

21 14. "Incarcerated" means to be imprisoned by placing a
 22 person in a jail, prison, penitentiary, juvenile facility,
 23 or other correctional institution or facility or a place or
 24 condition of confinement or forcible restraint regardless
 25 of the nature of the institution in which the person serves
 26 a sentence for a conviction. "Incarcerated" does not mean
 27 placement in an adult residential correctional or treatment
 28 facility that allows a resident to leave the facility for a
 29 portion of a day or days.

30 Sec. 18. Section 692A.101, subsection 31, Code 2018, is
 31 amended by striking the subsection and inserting in lieu
 32 thereof the following:

33 31. "Sexually violent predator" means a person who has
 34 been determined to be a sexually violent predator pursuant to
 35 section 229A.7.

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1 Sec. 19. Section 692A.128, Code 2018, is amended to read as
2 follows:

3 **692A.128 Modification.**

4 1. A sex offender who is ~~on probation, parole, work release,~~
5 ~~special sentence, or any other type of conditional release on~~
6 ~~the registry~~ may file an application in district court seeking
7 to modify the registration requirements under this chapter.

8 2. An application shall not be granted unless all of the
9 following apply:

10 a. The date of the commencement of the requirement to
11 register occurred at least ~~two~~ ten years prior to the filing
12 of the application for a tier I offender and ~~five~~ twenty-five
13 years prior to the filing of the application for a tier II ~~or~~
14 III offender.

15 b. The ~~sex offender applicant~~ has successfully completed all
16 sex offender treatment programs that have been required.

17 c. ~~A risk assessment has been completed and the sex offender~~
18 ~~was classified as a low risk to reoffend. The risk assessment~~
19 ~~used to assess an offender as a low risk to reoffend shall~~
20 ~~be a validated risk assessment approved by the department~~
21 ~~of corrections. The applicant has successfully completed~~
22 ~~any period of probation, parole, or other supervised release~~
23 ~~for the offense requiring registration, without incurring a~~
24 ~~revocation of probation, parole, or other supervised release~~
25 ~~for such offense.~~

26 d. The ~~sex offender applicant~~ is not incarcerated when the
27 application is filed.

28 e. ~~(1) The director of the judicial district department~~
29 ~~of correctional services supervising the sex offender, or~~
30 ~~the director's designee, stipulates to the modification,~~
31 ~~and a certified copy of the stipulation is attached to the~~
32 ~~application. For a tier I offender, the applicant has had~~
33 ~~no other criminal convictions other than simple misdemeanor~~
34 ~~violations of chapter 321 or similar local violations for the~~
35 ~~ten-year period preceding the filing of the application.~~

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1 (2) For a tier III offender, the applicant has had no
2 other criminal convictions other than simple misdemeanor
3 violations of chapter 321 or similar local violations for
4 the twenty-five-year period preceding the filing of the
5 application, and the requirement to register is based upon an
6 adjudication in juvenile court.

7 3. The application shall be filed in the sex offender's
8 county of principal residence.

9 4. Notice of any application shall be provided to the
10 county attorney of the county of the ~~sex offender's applicant's~~
11 principal residence, the county attorney of any county in
12 this state where a conviction requiring the ~~sex offender's~~

13 ~~applicant's~~ registration occurred, and the department. The
 14 county attorney where the conviction occurred shall notify the
 15 victim of an application if the victim's address is known.
 16 5. The court may, but is not required to, conduct a hearing
 17 on the application to hear any evidence deemed appropriate by
 18 the court. ~~The court may modify the registration requirements~~
 19 ~~under this chapter.~~
 20 6.a. ~~A sex offender may be granted a modification if the~~
 21 ~~offender is required to be on the sex offender registry as a~~
 22 ~~result of an adjudication for a sex offense, the offender is~~
 23 ~~not under the supervision of the juvenile court or a judicial~~
 24 ~~district judicial department of correctional services, and the~~
 25 ~~department of corrections agrees to perform a risk assessment~~
 26 ~~on the sex offender. However, all other provisions of this~~
 27 ~~section not in conflict with this subsection shall apply to the~~
 28 ~~application prior to an application being granted except that~~
 29 ~~the sex offender is not required to obtain a stipulation from~~
 30 ~~the director of a judicial district department of correctional~~
 31 ~~services, or the director's designee. If the court grants a~~
 32 modification for a tier I offender, the court may modify the
 33 registration period by reducing such period by up to five
 34 years.
 35 b. If the court grants a modification for a tier III

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1 offender, the court may modify the registration period by
 2 reducing such period to a term of years.
 3 7. If the court modifies the registration requirements
 4 under this chapter, the court shall send a copy of the order to
 5 the department, the sheriff of the county of the sex offender's
 6 principal residence, any county attorney notified in subsection
 7 4, and the victim, if the victim's address is known.
 8 Sec. 20. Section 726.6, subsection 1, paragraph h, Code
 9 2018, is amended to read as follows:
 10 h. Knowingly allows a person custody or control of, or
 11 unsupervised access to a child or a minor after knowing the
 12 person is required to register due to a conviction for a sex
 13 offense against a minor or is on the sex offender registry as
 14 a sex offender due to a conviction for a sex offense against
 15 a minor under chapter 692A. However, this paragraph does
 16 not apply to a person who is a parent or guardian of a child
 17 or a minor, ~~who is~~ and the parent or guardian is required
 18 to register as a sex offender due to a conviction for a sex
 19 offense against a minor, or to a person who is married to and
 20 living with a person required to register as a sex offender due
 21 to a conviction for a sex offense against a minor.
 22 Sec. 21. Section 726.6, Code 2018, is amended by adding the
 23 following new subsection:
 24 NEW SUBSECTION. 1A. A person who knowingly takes custody or
 25 control of a child or minor, or who knowingly has unsupervised
 26 access to a child or minor while required to register as a sex

27 offender for a sex offense against a minor under chapter 692A,
 28 commits child endangerment. However, this subsection does not
 29 apply to a person who is a parent or guardian of the child or
 30 minor, or to a person who is married to and living with a person
 31 who is the parent or guardian of the child or minor.

32 Sec. 22. Section 726.6, subsection 3, unnumbered paragraph
 33 1, Code 2018, is amended to read as follows:

34 For the purposes of subsection 1 or 1A, ~~“person having~~
 35 ~~control~~ “control over a child or a minor” means any of the

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1 following:

2 Sec. 23.EFFECTIVE DATE. This division of this Act takes
 3 effect July 1, 2019.

4 DIVISION IV

5 LASCIVIOUS CONDUCT WITH A MINOR

6 Sec. 24. Section 709.14, Code 2018, is amended by striking
 7 the section and inserting in lieu thereof the following:

8 **709.14 Lascivious conduct with a minor.**

9 1.a. It is unlawful for a person eighteen years of age
 10 or older who is in a position of authority over a minor to
 11 force, persuade, or coerce a minor, with or without consent,
 12 to disrobe or partially disrobe for the purpose of arousing or
 13 satisfying the sexual desires of either of them.

14 b. A violation of this subsection is a serious misdemeanor.

15 2. For purposes of subsections 3 and 4, “minor” means a
 16 person fourteen or fifteen years of age.

17 3.a. It is unlawful for a person eighteen years of age
 18 or older who is in a position of authority over a minor to
 19 perform any of the following acts with a minor, with or without
 20 consent, for the purpose of arousing or satisfying the sexual
 21 desires of either of them:

22 (1) Fondle or touch the inner thigh, groin, buttock, anus,
 23 or breast of the minor.

24 (2) Touch the clothing covering the immediate area of the
 25 inner thigh, groin, buttock, anus, or breast of the minor.

26 (3) Solicit or permit the minor to fondle or touch the inner
 27 thigh, groin, buttock, anus, or breast of the person.

28 (4) Solicit the minor to engage in any act prohibited under
 29 subsection 4, paragraph “a”, subparagraph (1), (2), or (3).

30 b. A violation of this subsection is a serious misdemeanor.

31 4.a. It is unlawful for a person eighteen years of age
 32 or older who is in a position of authority over a minor to
 33 perform any of the following acts with a minor, with or without
 34 consent, for the purpose of arousing or satisfying the sexual
 35 desires of either of them:

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1 (1) Fondle or touch the pubes or genitals of the minor.

2 (2) Permit or cause the minor to fondle or touch the

3 person's genitals or pubes.

4 (3) Cause the touching of the person's genitals to any part
5 of the body of the minor.

6 (4) Solicit the minor to engage in a sex act or solicit a
7 person to arrange a sex act with the minor.

8 (5) Inflict pain or discomfort upon the minor or permit the
9 minor to inflict pain or discomfort on the person.

10 b. A violation of this subsection is an aggravated
11 misdemeanor.

12 DIVISION V

13 SEX OFFENDER HOUSING WORKGROUP

14 Sec. 25.SEX OFFENDER — HOUSING — WORKGROUP. The
15 department of corrections shall lead a workgroup to study the
16 issue of housing for the placement of aging sex offenders
17 who qualify for release from the custody of the department
18 of corrections or the department of human services. The
19 workgroup shall consist of representatives of the departments
20 of inspections and appeals, human services, and justice, the
21 department on aging, the state public defender, the office
22 of ombudsman, the office of long-term care ombudsman, the
23 judicial branch, the older Iowans legislature Iowa legal aid,
24 and AARP. The workgroup shall meet to study this issue and
25 submit a report to the general assembly by January 2019, with
26 recommendations containing housing options for the placement of
27 aging sex offenders who qualify for release from custody.>

28 2. Title page, by striking lines 1 through 3 and inserting
29 <An Act relating to sexual offenses, including provisions
30 relating to sex offenders and sexually violent predators and
31 sexual offenses involving a child, providing penalties, and
32 including effective date provisions.>

KLEIN of Washington

H-8172

1 Amend House File 2441 as follows:

2 1. Page 5, line 35, by striking <paragraph> and inserting
3 <paragraphs>

4 2. Page 6, after line 3 by inserting:

5 <NEW PARAGRAPH. g. School security personnel costs.>

6 3. Page 8, line 4, by striking <paragraph "f"> and inserting
7 <paragraphs "f" and "g">

KOESTER of Polk

H-8173

1 Amend House File 2455 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1.NEW SECTION. **521I.1 Definitions.**

- 5 As used in this chapter, unless the context otherwise
6 requires:
- 7 1. “*Assets*” means property whether real, personal, mixed,
8 tangible, or intangible and any right or interest therein,
9 including all rights under a contract or other agreement.
- 10 2. “*Capital*” means the capital stock component of a
11 statutory surplus as defined in the latest edition of the
12 national association of insurance commissioners’ accounting
13 practices and procedures manual.
- 14 3. “*Commissioner*” means the commissioner of insurance.
- 15 4. “*Divide*” or “*division*” means a transaction in which
16 a domestic stock insurer splits into two or more resulting
17 domestic stock insurers.
- 18 5. “*Dividing insurer*” means a domestic stock insurer that
19 approves a plan of division.
- 20 6. “*Domestic stock insurer*” means a stock insurer domiciled
21 and organized under the law of this state other than a company
22 qualified and authorized by the commissioner to transact the
23 business of insurance in this state by certificate issued
24 pursuant to chapter 508, 512B, 514, 514B, 515, 515E, or 520.
- 25 7. “*Liability*” means a secured or contingent debt or
26 obligation arising in any manner.
- 27 8. “*Resulting insurer*” means a dividing domestic stock
28 insurer that survives a division or a new domestic stock
29 insurer that is created by a division.
- 30 9. “*Shareholder*” means the person in whose name shares are
31 registered in the records of a corporation or the beneficial
32 owner of shares to the extent of the rights granted by a
33 nominee certificate on file with a corporation.
- 34 10. “*Surplus*” means total statutory surplus less capital
35 stock calculated in accordance with the current national

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- 1 association of insurance commissioners’ accounting practices
2 and procedures manual.
- 3 11. “*Transfer*” includes an assignment, assumption,
4 conveyance, sale, lease, encumbrance, security interest, gift,
5 or transfer by operation of law.
- 6 **Sec. 2.NEW SECTION. 521I.2 Plan of division — general**
7 **requirements.**
- 8 A domestic stock insurer’s plan of division shall include
9 all of the following:
- 10 1. The name of the domestic stock insurer seeking to divide.
- 11 2. The name of each resulting insurer created by the
12 proposed division and for each resulting insurer a copy of all
13 of the following:
- 14 a. Proposed articles of incorporation.
- 15 b. Proposed bylaws.
- 16 3. The manner of allocating assets and liabilities,
17 including policy liabilities, between or among all resulting
18 insurers.

19 4. The manner of distributing shares in the resulting
20 insurers to the dividing insurer or the dividing insurer's
21 shareholders.

22 5. A reasonable description of all liabilities and all
23 assets that the dividing insurer proposes to allocate to each
24 resulting insurer, including the manner by which the dividing
25 insurer proposes to allocate all reinsurance contracts.

26 6. All terms and conditions required by the laws of this
27 state and the articles and bylaws of the dividing insurer.

28 7. All other terms and conditions of the division. Terms of
29 a plan of division may be made dependent on facts objectively
30 ascertainable outside of the plan of division.

31 Sec. 3. **NEW SECTION. 521I.3 Plan of division — dividing**
32 **insurer to survive division.**

33 If a dividing insurer will survive a division, the plan
34 of division shall include, in addition to the requirements
35 pursuant to section 521I.2, all of the following:

PAGE 3

1 1. All proposed amendments to the dividing insurer's
2 articles of incorporation and bylaws.

3 2. If the dividing insurer intends to cancel some but not
4 all shares in the dividing insurer, the manner in which the
5 dividing insurer intends to cancel such shares.

6 3. If the dividing insurer intends to convert some but
7 not all shares in the dividing insurer into securities,
8 obligations, money, other property, rights to acquire shares or
9 securities, or any combination thereof, a statement disclosing
10 the manner in which the dividing insurer intends to convert
11 such shares.

12 Sec. 4. **NEW SECTION. 521I.4 Plan of division — dividing**
13 **insurer not to survive division.**

14 If a dividing insurer will not survive a division, the plan
15 of division shall include, in addition to the requirements
16 pursuant to section 521I.2, the manner in which the dividing
17 insurer will cancel or convert shares in the dividing insurer's
18 shares into shares, securities, obligations, money, other
19 property, rights to acquire shares or securities, or any
20 combination thereof.

21 Sec. 5. **NEW SECTION. 521I.5 Amending plan of division.**

22 1. A dividing insurer may amend the dividing insurer's
23 plan of division in accordance with any procedures set forth
24 in the plan of division, or if no such procedures are set
25 forth in the plan of division, in a manner determined by the
26 board of directors of the dividing insurer. A shareholder
27 that is entitled to vote on or consent to approval of the plan
28 of division shall be entitled to vote on or consent to an
29 amendment of the plan of division that will affect any of the
30 following:

31 a. The amount or kind of shares, securities, obligations,
32 money, other property, rights to acquire shares or securities,

33 or any combination thereof to be received by any of the
34 shareholders of the dividing insurer under the plan of
35 division.

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1 b. The articles of incorporation or bylaws of any resulting
2 insurer that become effective when the division becomes
3 effective except for changes that do not require approval of
4 the shareholders of the resulting insurer under such articles
5 of incorporation or bylaws.

6 c. Any other terms or conditions of the plan of division
7 if the change may adversely affect the shareholders in any
8 material respect.

9 2. A dividing insurer shall not amend the dividing insurer's
10 plan of division after the plan of division becomes effective.

11 **Sec. 6. NEW SECTION. 521I.6 Abandoning plan of division.**

12 1. A dividing insurer may abandon the dividing insurer's
13 plan of division in any of the following circumstances:

14 a. After the dividing insurer has approved the plan
15 of division without any action by the shareholders and in
16 accordance with any procedures set forth in the plan of
17 division, or if no such procedures are set forth in the plan of
18 division, in a manner determined by the board of directors of
19 the dividing insurer.

20 b. After the dividing insurer has filed a certificate
21 of division with the secretary of state pursuant to section
22 521I.10, the dividing insurer may file a signed certificate of
23 abandonment with the secretary of state and file a copy with
24 the commissioner. The certificate of abandonment shall be
25 effective on the date the certificate of abandonment is filed
26 with the secretary of state.

27 2. A dividing insurer shall not abandon the dividing
28 insurer's plan of division after the plan of division becomes
29 effective.

30 **Sec. 7. NEW SECTION. 521I.7 Approval of plan of division —**
31 **articles of incorporation and bylaws.**

32 1. A dividing insurer shall not file a plan of division with
33 the commissioner until such plan of division has been approved
34 in accordance with all provisions of the dividing insurer's
35 articles of incorporation and bylaws. If the dividing

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1 insurer's articles of incorporation and bylaws do not provide
2 for approval of a plan of division, the dividing insurer shall
3 not file the plan of division with the commissioner unless
4 such plan of division has been approved in accordance with all
5 provisions of the dividing insurer's articles of incorporation
6 and bylaws that provide for approval of a merger.

7 2. If a provision of a dividing insurer's articles of
8 incorporation or bylaws adopted before the effective date of

9 this Act requires that a specific number of or a percentage
 10 of the board of directors or shareholders propose or adopt a
 11 plan of merger or impose other procedures for the proposal or
 12 adoption of a plan of merger, the dividing insurer shall adhere
 13 to such provision in proposing or adopting a plan of division.
 14 If any such provision of the articles of incorporation or
 15 bylaws is amended on or after the effective date of this Act,
 16 such provision shall apply to a division thereafter only in
 17 accordance with its express terms.

18 **Sec. 8.NEW SECTION. 521I.8 Commissioner approval of plan**
 19 **of division.**

20 1. After a dividing insurer approves a plan of division
 21 pursuant to section 521I.7, the dividing insurer shall file the
 22 plan of division with the commissioner. Within ten business
 23 days of filing the plan of division with the commissioner, the
 24 dividing insurer shall provide notice of the filing to each
 25 reinsurer that is a party to a reinsurance contract allocated
 26 in the plan of division.

27 2. A division shall not become effective until approved by
 28 the commissioner after reasonable notice and a public hearing.
 29 Notice and public hearing required under this section shall be
 30 conducted as a contested case pursuant to chapter 17A.

31 3. The commissioner may approve a plan of division if the
 32 commissioner finds that all of the following apply:

33 *a.* The interest of the policyholders, creditors, or
 34 shareholders of the dividing insurer will be adequately
 35 protected and the plan of division is not unfair or

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1 unreasonable to the policyholders of the dividing insurer and
 2 is not contrary to the public interest.

3 *b.* The financial condition of the resulting insurers will
 4 not jeopardize the financial stability of a dividing insurer
 5 or the resulting insurers or prejudice the interests of the
 6 policyholders of such insurers.

7 *c.* All resulting insurers created by the proposed division
 8 will be qualified and eligible to receive a certificate of
 9 authority to transact the business of insurance in this state.

10 *d.* The proposed division does not violate a provision of
 11 chapter 684. In a division in which the dividing insurer
 12 will survive, the commissioner shall apply chapter 684 to the
 13 dividing insurer in its capacity as a resulting insurer. In
 14 applying the provisions of chapter 684 to a resulting insurer,
 15 the commissioner shall do all of the following:

16 (1) Treat the resulting insurer as a debtor.

17 (2) Treat a liability allocated to the resulting insurer as
 18 a liability incurred by a debtor.

19 (3) Treat the resulting insurer as receiving unequal value
 20 in exchange for incurring allocated obligations.

21 (4) Treat assets allocated to the resulting insurer as
 22 remaining assets.

- 23 *e.* The proposed division is not being made for the purpose
24 of hindering, delaying, or defrauding any policyholders or
25 other creditors of the dividing insurer.
- 26 *f.* All resulting insurers will be solvent when the division
27 becomes effective.
- 28 *g.* The remaining assets of a resulting insurer will not be
29 unreasonably small in relation to the business and transactions
30 such resulting insurer has been engaged in or will engage in
31 after completion of the division.
- 32 4. In determining if the standards set forth in subsection
33 3, paragraphs “c” through “g” are satisfied, the commissioner
34 may consider all proposed assets of the resulting insurer
35 including without limitation reinsurance agreements, parental

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- 1 guarantees, support agreements, keepwell agreements, and
2 capital maintenance of contingent capital agreements regardless
3 of whether such qualify as an admitted asset under state law.
- 4 5. All expenses incurred by the commissioner in connection
5 with proceedings under this section including expenses
6 for attorneys, actuaries, accountants, and other experts
7 not otherwise a part of the commissioner’s staff as may be
8 reasonably necessary to assist the commissioner in reviewing
9 a proposed plan of division shall be paid by the dividing
10 insurer filing such plan. A dividing insurer may allocate such
11 expense in a plan of division in the same manner as any other
12 liability.
- 13 6. If the commissioner approves a plan of division the
14 commissioner shall issue an order which shall be accompanied
15 by findings of fact and conclusions of law. The commissioner
16 shall also issue a certificate of authority authorizing the
17 resulting insurers to transact the business of insurance in
18 this state.
- 19 7. The conditions in this section for freeing one or more
20 of the resulting insurers from the liabilities of the dividing
21 insurer and for allocating some or all of the liabilities of
22 the dividing insurer shall be deemed to have been satisfied if
23 the plan of division is approved by the commissioner in a final
24 order.
- 25 **Sec. 9. NEW SECTION. 521I.9 Confidentiality.**
- 26 All information and documents submitted to, obtained by, or
27 disclosed to the commissioner in connection with a dividing
28 insurer’s plan of division shall be confidential and shall not
29 be available for public inspection until notice of a public
30 hearing is provided pursuant to section 521I.8, subsection
31 1. After issuance of a notice of such hearing, the dividing
32 insurer may submit a written request to the commissioner
33 requesting that confidentiality be maintained regarding
34 all business, financial, and actuarial information. If the
35 commissioner grants the dividing insurer’s request, such

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1 confidential information shall not be available for public
2 inspection and shall not be subject to chapter 22. The plan
3 of division and any materials incorporated by reference into
4 or otherwise made a part of such plan of division shall not be
5 confidential and shall be available for public inspection.

6 **Sec. 10. NEW SECTION. 521I.10 Certificate of division.**

7 1. If the commissioner approves a dividing insurer's plan
8 of division pursuant to section 521I.8, an officer or duly
9 authorized representative of the dividing insurer shall sign a
10 certificate of division that sets forth all of the following:

11 *a.* The name of the dividing insurer.

12 *b.* A statement disclosing whether the dividing insurer
13 survived the division. If the dividing insurer survived
14 the division, the certificate of division shall include any
15 amendments to the dividing insurer's articles of incorporation
16 or bylaws as approved as part of the plan of division.

17 *c.* The name of each resulting insurer that is created by
18 the division.

19 *d.* The date on which the division is effective.

20 *e.* A statement that the division was approved by the
21 commissioner under section 521I.8.

22 *f.* A statement that the dividing insurer provided reasonable
23 notice to each reinsurer that is a party to a reinsurance
24 contract allocated in the plan of division.

25 *g.* The resulting insurer's articles of incorporation and
26 bylaws for each resulting insurer created by the division. The
27 articles of incorporation and bylaws of each resulting insurer
28 must comply with the applicable requirements of the laws of
29 this state. The articles of incorporation and bylaws may state
30 the name or address of an incorporator, may be signed, and may
31 include any provision that is not required in a restatement of
32 the articles of incorporation or bylaws.

33 *h.* A reasonable description of the capital, surplus, other
34 assets and liabilities, including policy liabilities, of the
35 dividing insurer that are to be allocated to each resulting

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1 insurer.

2 2. A dividing insurer's certificate of division is
3 effective on the date the dividing insurer files the
4 certificate with the secretary of state and provides a
5 concurrent copy to the commissioner, or on another date
6 as specified in the plan of division, whichever is later.

7 However, the certificate of division shall become effective
8 not later than ninety calendar days after it is filed with the
9 secretary of state. A division shall be effective when the
10 relevant certificate of division is effective.

11 **Sec. 11. NEW SECTION. 521I.11 Division effective.**

12 1. On the effective date of a division pursuant to section

13 521I.10, the following apply:

14 *a.* If the dividing insurer survives, all of the following
15 apply:

16 (1) The dividing insurer shall continue to exist.

17 (2) The articles of incorporation of the dividing insurer
18 shall be amended, if at all, if provided for in the plan of
19 division.

20 (3) The bylaws of the dividing insurer shall be amended, if
21 at all, if provided for in the plan of division.

22 *b.* If the dividing insurer does not survive, the dividing
23 insurer's separate existence shall cease to exist and any
24 resulting insurer created by the plan of division shall come
25 into existence.

26 *c.* Each resulting insurer shall hold any capital, surplus,
27 and other assets allocated to such resulting insurer by the
28 plan of division as a successor to the dividing insurer by
29 operation of law, and not by transfer, whether directly or
30 indirectly. The articles of incorporation and bylaws, if any,
31 of each resulting insurer shall be effective when the resulting
32 insurer comes into existence.

33 *d.*(1) All capital, surplus, and other assets of the
34 dividing insurer that are allocated by the plan of division
35 shall vest in the applicable resulting insurer as provided in

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1 the plan of division or shall remain vested in the dividing
2 insurer as provided in the plan of division.

3 (2) All capital, surplus, and other assets of the dividing
4 insurer that are not allocated by the plan of division shall
5 remain vested in the dividing insurer if the dividing insurer
6 survives the division and shall be allocated to and vest pro
7 rata in the resulting insurers individually if the dividing
8 insurer does not survive the division.

9 (3) All capital, surplus, and other assets of the dividing
10 insurer otherwise vest as provided in this section without
11 transfer, reversion, or impairment.

12 *e.* A resulting insurer to which a cause of action is
13 allocated may be substituted or added in any pending action or
14 proceeding to which the dividing insurer is a party when the
15 division becomes effective.

16 *f.* All liabilities of a dividing insurer are allocated
17 between or among any resulting insurers as provided in section
18 521I.10 and each resulting insurer to which liabilities are
19 allocated is liable only for those liabilities, including
20 policy liabilities, allocated as a successor to the dividing
21 insurer by operation of law.

22 *g.* Any shares in the dividing insurer that are to be
23 converted or canceled in the division are converted or canceled
24 and the shareholders of those shares are entitled only to
25 the rights provided to such shareholders under the plan of
26 division and any appraisal rights that such shareholders may

27 have pursuant to section 521I.13.

28 2. Except as provided in the dividing insurer's articles
29 of incorporation or bylaws, the division does not give rise
30 to any rights that a shareholder, director of a domestic
31 stock insurer, or third party would have upon a dissolution,
32 liquidation, or winding up of the dividing insurer.

33 3. The allocation to a resulting insurer of capital,
34 surplus, or other asset that is collateral covered by an
35 effective financing statement shall not be effective until a

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1 new effective financing statement naming the resulting insurer
2 as a debtor is effective under the uniform commercial code.

3 4. Unless otherwise provided in the plan of division,
4 the shares in and any securities of each resulting insurer
5 shall be distributed to the dividing insurer if it survives
6 the division, or pro rata to the shareholders of the dividing
7 insurer that do not assert any appraisal rights pursuant to
8 section 521I.13.

9 **Sec. 12. NEW SECTION. 521I.12 Resulting insurers liability**
10 **for allocated assets, debts, and liabilities.**

11 1. Except as expressly provided in this section, when a
12 division becomes effective, by operation of law all of the
13 following apply:

14 a. A resulting insurer is individually liable for the
15 liabilities, including policy liabilities, that the resulting
16 insurer issues, undertakes, or incurs in its own name after the
17 division.

18 b. A resulting insurer is individually liable for the
19 liabilities, including policy liabilities, of the dividing
20 insurer that are allocated to or remain the liability of the
21 resulting insurer to the extent specified in the plan of
22 division.

23 c. The dividing insurer remains responsible for the
24 liabilities, including policy liabilities, of the dividing
25 insurer that are not allocated by the plan of division if the
26 dividing insurer survives the division.

27 d. A resulting insurer is liable pro rata individually for
28 the liabilities, including policy liabilities, of the dividing
29 insurer that are not allocated by the plan of division if the
30 dividing insurer does not survive the division.

31 2. Except as otherwise expressly provided in this section,
32 when a division becomes effective a resulting insurer is not
33 responsible for and shall not have liability for any of the
34 following:

35 a. Any liabilities, including policy liabilities, that

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1 another resulting insurer issues, undertakes, or incurs in such
2 resulting insurer's own name after the division.

3 *b.* Any liabilities, including policy liabilities, of the
4 dividing insurer that are allocated to or remain the liability
5 of another resulting insurer under the plan of division.
6 3. If a provision of any evidence of indebtedness, whether
7 secured or unsecured, or a provision of any contract other than
8 an insurance policy, annuity, or reinsurance agreement that was
9 issued, incurred, or executed by the dividing insurer before
10 the effective date of this Act, requires the consent of the
11 obligee to a merger of the dividing insurer, or treats such a
12 merger as a default, such provision shall apply to a division
13 of the dividing insurer as if such division were a merger.
14 4. If a division breaches a contractual obligation of
15 the dividing insurer, all resulting insurers are jointly
16 and severally liable for the breach. The validity and
17 effectiveness of the division shall not be affected by the
18 breach.
19 5. A direct or indirect allocation of capital, surplus,
20 assets, or liabilities, including policy liabilities, shall
21 occur automatically, by operation of law, and shall not be
22 treated as a distribution or transfer for any purpose with
23 respect to either the dividing insurer or any resulting
24 insurer.
25 6. Liens, security interests, and other charges on the
26 capital, surplus, or other assets of the dividing insurer
27 shall not be impaired by the division, notwithstanding any
28 otherwise enforceable allocation of liabilities, including
29 policy liabilities, of the dividing insurer.
30 7. If the dividing insurer is bound by a security agreement
31 governed by chapter 554 or article 9 of the uniform commercial
32 code as enacted in any other jurisdiction, and the security
33 agreement provides that the security interest attaches to
34 after-acquired collateral, a resulting insurer shall be bound
35 by the security agreement.

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1 8. Unless provided in the plan of division and specifically
2 approved by the commissioner, an allocation of a policy or
3 other liability is prohibited from doing any of the following:
4 *a.* Affecting the rights that a policyholder or creditor
5 has under any other law with respect to such policy or other
6 liability, except that such rights shall be available only
7 against a resulting insurer responsible for the policy or
8 liability under this section.
9 *b.* Releasing or reducing the obligation of a reinsurer,
10 surety, or guarantor of the policy or liability.
11 9. A resulting insurer shall only be liable for the
12 liabilities allocated to the resulting insurer in accordance
13 with the plan of division and this section and shall not be
14 liable for any other liabilities under the common law doctrine
15 of successor liability or any other theory of liability
16 applicable to transferees or assignees of assets.

17 Sec. 13. NEW SECTION. 521I.13 Shareholder appraisal rights.

18 If a dividing insurer does not survive a division, an
19 objecting shareholder of the dividing insurer is entitled to
20 appraisal rights and to obtain payment of the fair value of
21 such shareholder's shares in the same manner and to the extent
22 provided for a corporation as a party to a merger pursuant to
23 section 490.1302.

24 Sec. 14. NEW SECTION. 521I.14 Rules.

25 The commissioner shall adopt rules pursuant to chapter 17A
26 to administer this chapter.

27 Sec. 15. NEW SECTION. 521I.15 Enforcement.

28 The commissioner may take any action under the
29 commissioner's authority to enforce compliance with this
30 chapter.

31 Sec. 16. Section 490.120, subsection 12, paragraph c,
32 subparagraph (2), Code 2018, is amended to read as follows:

33 (2) "*Plan*" means a plan of merger ~~or, a plan of share~~
34 ~~exchange, or a plan of division pursuant to chapter 521I.~~

35 Sec. 17. Section 490.1302, subsection 1, Code 2018, is

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1 amended by adding the following new paragraph:

2 NEW PARAGRAPH. g. Consummation of a division pursuant
3 to chapter 521I to which the corporation is a party if the
4 corporation does not survive such division.

5 Sec. 18. Section 521.1, Code 2018, is amended by adding the
6 following new subsections:

7 NEW SUBSECTION. 5. "*Dividing insurer*" means the same as
8 defined in section 521I.1.

9 NEW SUBSECTION. 6. "*Resulting insurer*" means the same as
10 defined in section 521I.1.

11 Sec. 19. NEW SECTION. 521.19 Merger or consolidation
12 effective with division.

13 A dividing insurer and the dividing insurer's officers,
14 directors, and shareholders shall have the authority to adopt
15 and execute a plan of merger or consolidation on behalf of a
16 resulting insurer, to execute and deliver documents, plans,
17 certificates, and resolutions, and to make any filings on
18 behalf of such resulting insurer. If provided in a plan of
19 merger or consolidation, the merger or consolidation shall be
20 effective simultaneously with the effectiveness of a division
21 pursuant to 521I.10.>

PETTENGILL of Benton

H-8174

1 Amend House File 2253 as follows:

2 1. Page 1, by striking lines 21 and 22 and inserting
3 <private agency, but excluding urban renewal ~~demolition and~~
4 ~~low-rent housing~~ projects funded under chapter 403, industrial

5 aid projects authorized>

LONDON of Polk

H-8175

1 Amend Senate File 2169, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Sec. __.STUDY ON DRAM SHOP LIABILITY INSURANCE
5 CLAIMS. The commissioner of insurance shall conduct a study to
6 determine whether the insurance premiums paid by Iowa alcoholic
7 beverage licensees for dram shop liability coverage are
8 appropriate. In doing so, the commissioner of insurance shall
9 develop a report that includes the total premiums collected by
10 dram shop liability carriers in the state and the history of
11 claims, including whether a claim was settled, a lawsuit was
12 filed, or a jury verdict was rendered.>

13 2. Title page, by striking lines 1 and 2 and inserting <An
14 Act providing for a study on dram shop liability insurance.>

KRESSIG of Black Hawk

H-8176

1 Amend Senate File 2169, as passed by the Senate, as follows:

2 1. Page 1, line 7, by striking <up to the amount specified
3 in paragraph "c" or "d,">

4 2. Page 1, by striking lines 22 through 30 and inserting:

5 <Sec. __.STUDY ON DRAM SHOP LIABILITY INSURANCE
6 CLAIMS. The commissioner of insurance shall conduct a study to
7 determine whether the insurance premiums paid by Iowa alcoholic
8 beverage licensees for dram shop liability coverage are
9 appropriate. In doing so, the commissioner of insurance shall
10 develop a report that includes the total premiums collected by
11 dram shop liability carriers in the state and the history of
12 claims, including whether a claim was settled, a lawsuit was
13 filed, or a jury verdict was rendered.>

McCONKEY of Pottawattamie

H-8177

1 Amend House File 2350 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 256.7, Code 2018, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 33.a. For purposes of this subsection:

7 (1) "*Adverse childhood experience*" means the same as defined
8 in section 279.70.

9 (2) "*Postvention*" means the same as defined in section
10 279.70.

11 **b.** Adopt rules to require school districts to adopt
 12 protocols for suicide prevention and postvention and the
 13 identification of adverse childhood experiences and strategies
 14 to mitigate toxic stress response. The protocols shall be
 15 based on nationally recognized best practices.
 16 **Sec. 2. NEW SECTION. 279.70 Training on suicide prevention**
 17 **and identification of adverse childhood experiences and**
 18 **strategies to mitigate toxic stress response.**
 19 1. For purposes of this section, unless the context
 20 otherwise requires:
 21 **a.** “*Adverse childhood experience*” means a potentially
 22 traumatic event occurring in childhood that can have negative,
 23 lasting effects on an individual’s health and well-being.
 24 **b.** “*Postvention*” means the provision of crisis intervention,
 25 support, and assistance for those affected by a suicide or
 26 suicide attempt to prevent further risk of suicide.
 27 2. By July 1, 2019, the board of directors of a school
 28 district shall require annual, evidence-based training at
 29 least one hour in length on suicide prevention and postvention
 30 for all school personnel who hold a license, certificate,
 31 authorization, or statement of recognition issued by the board
 32 of educational examiners and who have regular contact with
 33 students in kindergarten through grade twelve. The content
 34 of the training shall be based on nationally recognized best
 35 practices.

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1 3. By July 1, 2019, the board of directors of a
 2 school district shall require annual, evidence-based,
 3 evidence-supported training on the identification of adverse
 4 childhood experiences and strategies to mitigate toxic
 5 stress response for all school personnel who hold a license,
 6 certificate, authorization, or statement of recognition issued
 7 by the board of educational examiners and who have regular
 8 contact with students in kindergarten through grade twelve.
 9 The content of the training shall be based on nationally
 10 recognized best practices.
 11 **Sec. 3. IMPLEMENTATION OF ACT.** Section 25B.2, subsection 3,
 12 shall not apply to this Act.>
 13 2. Title page, line 2, by striking <trauma-informed
 14 care> and inserting <the identification of adverse childhood
 15 experiences and strategies to mitigate toxic stress response>

MOORE of Cass

H-8178

1 Amend House File 2399 as follows:
 2 1. Page 1, line 9, after <observation,> by inserting
 3 <treatment,>
 4 2. Page 1, line 13, after <shall> by inserting <treat and>

5 3. Page 1, line 23, after <resources> by inserting <that
6 address the safety of students and staff and includes a regular
7 independent review of the program>

BERGAN of Winneshiek

H-8179

1 Amend the amendment, H-8158, to House File 2284 as follows:
2 1. Page 1, by striking lines 8 and 9 and inserting <date
3 of entry of judgment if the judgment could have been entered
4 pursuant to chapter 631. or twenty years from the date of entry
5 of judgment for all other judgments.>

WOLFE of Clinton

H-8180

1 Amend House File 2391 as follows:
2 1. Page 1, line 1, by striking <2018> and inserting <2017>
3 2. Page 1, by striking lines 7 and 8 and inserting <or
4 jointly, up to the amount specified in paragraph "c" or "d".
5 against any licensee or permittee, whether or not>

BEST of Carroll

H-8181

1 Amend House File 2411 as follows:
2 1. Page 1, after line 4 by inserting:
3 <Sec. __.EFFECTIVE DATE. This Act, being deemed of
4 immediate importance, takes effect upon enactment.>
5 2. Title page, line 2, after <property> by inserting <and
6 including effective date provisions>
7 3. By renumbering as necessary.

GUSTAFSON of Madison

H-8182

1 Amend House File 2443 as follows:
2 1. Page 1, line 3, by striking <section> and inserting
3 <sections 716.7 and>
4 2. Page 1, by striking lines 8 through 12 and inserting
5 <an organized effort to coordinate services for a child
6 who is alleged to have committed a delinquent act, when the
7 organized effort results in the dismissal of a complaint
8 alleging the commission of the delinquent act or results in
9 informally proceeding without a complaint being filed against
10 the child, and which does not result in an informal adjustment
11 agreement involving juvenile court services or the filing of a
12 delinquency petition.>
13 3. Page 8, lines 12 and 13, by striking <not be provided

14 by the department.> and inserting <only be disseminated by the
 15 department to criminal or juvenile justice agencies for the
 16 purpose of administering chapter 692A, to the person who is the
 17 subject of the adjudication and custody data or the person's
 18 attorney, or to another person with a signed release from the
 19 person who is the subject of the adjudication and custody data
 20 authorizing the requesting person access to the adjudication
 21 and custody data.>

BALTIMORE of Boone

H-8183

1 Amend the amendment, H-8170, to House File 2467 as follows:
 2 1. Page 1, by striking line 2.
 3 2. By renumbering as necessary.

HINSON of Linn

H-8184

1 Amend Senate File 2169, as passed by the Senate, as follows:
 2 1. Page 1, lines 24 and 25, by striking <seventy-five
 3 thousand dollars> and inserting <one hundred thousand dollars>
 4 2. Page 1, lines 29 and 30, by striking <one hundred
 5 thousand dollars> and inserting <one hundred fifty thousand
 6 dollars>

FISHER of Tama

H-8185

1 Amend Senate File 2099, as passed by the Senate, as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 633.3, Code 2018, is amended by adding
 4 the following new subsection:
 5 NEW SUBSECTION. 30A. *Probate assets* — means a
 6 decedent's property subject to administration by a personal
 7 representative.>
 8 2. Page 1, line 14, by striking <probated> and inserting
 9 <probated administered>
 10 3. Page 1, after line 15 by inserting:
 11 <Sec. ____ Section 635.2, subsection 5, Code 2018, is
 12 amended to read as follows:
 13 5. A statement that the probate ~~property assets~~ of the
 14 decedent subject to the jurisdiction of this state does not
 15 have an aggregate gross value of more than the amount permitted
 16 under the provisions of section 635.1 and the approximate
 17 amount of personal property and income for the purposes of
 18 setting a bond.>
 19 4. Page 1, by striking lines 27 and 28 and inserting:
 20 <2. The report and inventory shall show the gross value
 21 of probate assets subject to the jurisdiction of this state

22 separately specify which assets are probate assets subject to
 23 the jurisdiction of this state and clearly state their gross
 24 value and the sum thereof.>
 25 5. Page 1, line 33, by striking <probated> and inserting
 26 <probated administered>
 27 6. Page 1, line 34, by striking <shows> and inserting <shows
 28 separately specifies>
 29 7. Page 2, line 5, by striking <statement> and inserting
 30 <report>
 31 8. Page 2, by striking lines 19 and 20 and inserting
 32 <interested parties within a reasonable time from the date of
 33 issuance of the letters of appointment after the expiration of
 34 all times following all notices required in chapter 633. The
 35 closing statement>

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1 9. Page 2, line 32, by striking <of the estate> and
 2 inserting <of the estate explaining how and to whom the probate
 3 assets will be distributed>
 4 10. Page 4, line 9, by striking <probate> and inserting
 5 <probate report and>
 6 11. Page 4, line 30, by striking <635.7 and 635.8> and
 7 inserting <633.3, 635.2, 635.7, and 635.8>
 8 12. By renumbering as necessary.

GUSTAFSON of Madison

H-8186

1 Amend House File 2442 as follows:
 2 1. Page 2, line 13, after <contest> by inserting <who is
 3 registered with the Iowa high school athletic association or
 4 the Iowa girls high school athletic union>

WHEELER of Sioux

H-8187

1 Amend Senate File 2099, as passed by the Senate, as follows:
 2 1. Page 4, by striking lines 23 through 30 and inserting:
 3 <Sec. __.EFFECTIVE DATE. This Act takes effect January
 4 1, 2020.
 5 Sec. __.APPLICABILITY. The following applies January 1,
 6 2020, to estates opened under chapter 635 or converted from
 7 administration under chapter 633 on or after January 1, 2020:
 8 The section of this Act amending section 635.1.
 9 Sec. __.APPLICABILITY. The following applies January 1,
 10 2020, to estates being probated under chapter 635 on or after
 11 January 1, 2020:
 12 The sections of this Act amending sections 635.7 and 635.8.>
 13 2. Title page, line 2, after <including> by inserting

14 <effective date and>

GUSTAFSON of Madison

H-8188

- 1 Amend Senate File 2169, as passed by the Senate, as follows:
 2 1. Page 1, line 7, by striking <up to the amount specified
 3 in paragraphs "c" or "d">
 4 2. Page 1, by striking lines 22 through 30.

MEYER of Polk

H-8189

- 1 Amend Senate File 2235, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking page 1, line 6, through page 3, line 6, and
 4 inserting:
 5 <a. Information or communication systems.
 6 b. Financial or banking systems.
 7 c. Property of a supplier of gas, electric, steam, water,
 8 sanitation, communication services to the public, any public
 9 utility service, including the power energy and water supply
 10 systems, or sewage and water treatment systems.
 11 d. Public or private health care facilities and systems, and
 12 emergency, fire, medical, or law enforcement response systems.
 13 e. Any other government operations or services.>

OLSON of Polk

H-8190

- 1 Amend Senate File 2235, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 3, lines 9 and 10, by striking <relating to
 4 critical infrastructure> and inserting <relating to critical
 5 infrastructure that results in property damage to critical
 6 infrastructure of at least one hundred thousand dollars>

OLSON of Polk

H-8191

- 1 Amend Senate File 2235, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 3, line 27, after <livestock.> by inserting <The
 4 term "*substantial interruption or impairment of service rendered
 5 to the public*", as used in this definition, shall not be
 6 construed to prohibit picketing, public demonstrations, and
 7 similar forms of expressing ideas or views regarding legitimate
 8 matters of public interest protected by the United States and

9 Iowa Constitutions.>

OLSON of Polk

H-8192

1 Amend the amendment, H-8116, to House File 2372 as follows:

- 2 1. Page 1, line 11, after <331.207.> by inserting <However,
3 a county with a population of one hundred thousand or more
4 based on the most recent federal decennial census shall not use
5 plan “two” for the election of supervisors.>
6 2. Page 1, after line 11 by inserting:
7 <Sec. __.TRANSITION PROVISION. Notwithstanding any
8 provision of law to the contrary, a county with a population
9 of one hundred thousand or more based on the most recent
10 federal decennial census that uses plan “two” for the election
11 of supervisors as of the effective date of this Act shall,
12 for elections on or after January 1, 2019, use plan “one” for
13 the election of supervisors unless plan “three” is selected
14 pursuant to a special election as provided in section 331.207.>
15 3. By renumbering as necessary.

HALL of Woodbury

H-8193

1 Amend the amendment, H-8116, to House File 2372 as follows:

- 2 1. Page 1, line 11, after <331.207.> by inserting <However,
3 a county shall not use plan “two” for the election of
4 supervisors.>
5 2. Page 1, after line 11 by inserting:
6 <Sec. __.TRANSITION PROVISION. Notwithstanding any
7 provision of law to the contrary, a county that uses plan “two”
8 for the election of supervisors as of the effective date of
9 this Act shall, for elections on or after January 1, 2019, use
10 plan “one” for the election of supervisors unless plan “three”
11 is selected pursuant to a special election as provided in
12 section 331.207.>
13 3. By renumbering as necessary.

NIELSEN of Johnson

H-8194

1 Amend Senate File 2306, as amended, passed, and reprinted by
2 the Senate, as follows:

- 3 1. Page 1, line 3, by striking <Beginning September> and
4 inserting:
5 <1. Beginning May>
6 2. Page 1, after line 17 by inserting:
7 <2. This section is repealed upon the implementation of a
8 system that electronically analyzes amendments to disclosure
9 reports and sends electronic notifications of such amendments
10 to candidates who register to receive such notifications. The

11 board shall notify the Iowa Code editor upon the occurrence of
 12 this condition.>

COMMITTEE ON STATE GOVERNMENT

H-8195

1 Amend Senate File 2155, as passed by the Senate, as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 12B.10A, subsection 1, paragraph c,
 5 Code 2018, is amended to read as follows:
 6 c.(1) Operating funds may only be invested in investments
 7 which mature within three hundred ninety-seven days or less and
 8 which are authorized by law for the investing public entity.
 9 (2) Notwithstanding subparagraph (1), a political
 10 subdivision which has or expects to accrue in the current
 11 budget year an amount of public funds that exceeds operating
 12 funds by at least thirty-three percent may invest amounts
 13 exceeding thirty-three percent of operating funds in
 14 certificates of deposit at federally insured depository
 15 institutions approved pursuant to chapter 12C which mature
 16 within sixty-three months or less provided that the political
 17 subdivision invests an amount reasonably expected to be
 18 expended during the current budget year or within fifteen
 19 months of receipt in investments pursuant to subparagraph (1).>
 20 2. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT

H-8196

1 Amend House File 2401 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1.SEX OFFENDER TREATMENT AND SUPERVISION TASK
 5 FORCE.
 6 1. The division of criminal and juvenile justice planning
 7 shall establish a task force to study and make periodic
 8 recommendations for treating and supervising sex offenders
 9 in correctional institutions and in the community. The task
 10 force shall file a report with recommendations with the general
 11 assembly by July 1, 2019. The task force shall study the
 12 effectiveness of electronic monitoring. The task force shall
 13 study risk assessment models created for sex offenders. The
 14 task force shall also review this state's efforts and the
 15 efforts of other states to implement treatment programs and
 16 make recommendations as to the best treatment options available
 17 for sex offenders. The task force shall also develop a plan
 18 to integrate state government databases for the purpose of
 19 updating addresses of persons on the sex offender registry.
 20 2. Members of the task force shall include members of

- 21 the general assembly selected by the legislative council and
 22 representatives of the following:
- 23 a. One representative from the state department of
 24 transportation.
 - 25 b. One representative of the Iowa civil liberties union.
 - 26 c. One representative of the department of human services.
 - 27 d. One representative of the department of public safety.
 - 28 e. One representative of the Iowa state sheriffs and
 29 deputies association.
 - 30 f. One representative of the Iowa county attorneys
 31 association.
 - 32 g. One representative of the department of corrections.
 - 33 h. One representative of the board of parole.
 - 34 i. One representative of a judicial district department of
 35 correctional services.

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- 1 j. One representative of the department of justice.
- 2 k. One representative of the state public defender.
- 3 l. One representative of the Iowa coalition against sexual
 4 assault.>

OLSON of Polk

H-8197

- 1 Amend the amendment, H-8171, to House File 2401 as follows:
- 2 1. Page 14, after line 27 by inserting:
 - 3 <DIVISION ____
 - 4 SEX OFFENDER TREATMENT AND SUPERVISION TASK FORCE
 - 5 Sec. ____SEX OFFENDER TREATMENT AND SUPERVISION TASK
 - 6 FORCE.
 - 7 1. The division of criminal and juvenile justice planning
 - 8 shall establish a task force to study and make periodic
 - 9 recommendations for treating and supervising sex offenders
 - 10 in correctional institutions and in the community. The task
 - 11 force shall file a report with recommendations with the general
 - 12 assembly by July 1, 2019. The task force shall study the
 - 13 effectiveness of electronic monitoring. The task force shall
 - 14 study risk assessment models created for sex offenders. The
 - 15 task force shall also review this state's efforts and the
 - 16 efforts of other states to implement treatment programs and
 - 17 make recommendations as to the best treatment options available
 - 18 for sex offenders. The task force shall also develop a plan
 - 19 to integrate state government databases for the purpose of
 - 20 updating addresses of persons on the sex offender registry.
 - 21 2. Members of the task force shall include members of
 - 22 the general assembly selected by the legislative council and
 - 23 representatives of the following:
 - 24 a. One representative from the state department of
 25 transportation.

- 26 b. One representative of the Iowa civil liberties union.
- 27 c. One representative of the department of human services.
- 28 d. One representative of the department of public safety.
- 29 e. One representative of the Iowa state sheriffs and
- 30 deputies association.
- 31 f. One representative of the Iowa county attorneys
- 32 association.
- 33 g. One representative of the department of corrections.
- 34 h. One representative of the board of parole.
- 35 i. One representative of a judicial district department of

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- 1 correctional services.
- 2 j. One representative of the department of justice.
- 3 k. One representative of the state public defender.
- 4 l. One representative of the Iowa coalition against sexual
- 5 assault.>
- 6 2. By renumbering as necessary.

OLSON of Polk

H-8198

- 1 Amend the amendment, H-1267, to Senate File 220, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. Page 1, line 19, by striking <2017> and inserting <2018>
- 4 2. Page 1, line 22, by striking <2017> and inserting <2018>
- 5 3. Page 1, line 25, by striking <2017> and inserting <2018>

KAUFMANN of Cedar

H-8199

- 1 Amend House File 619 as follows:
- 2 1. Page 1, by striking lines 10 and 11 and inserting
- 3 <department to be reasonably competitive with fees established
- 4 in other public parks or recreation areas that provide the same
- 5 or similar privileges and are located within thirty miles of
- 6 the perimeter of the state park or recreation area for which
- 7 the department is establishing fees. Such fees may be>

MAXWELL of Poweshiek

H-8200

- 1 Amend the amendment, H-8001, to Senate File 475, as amended,
- 2 passed, and reprinted by the Senate, as follows:
- 3 1. Page 11, line 7, after <EDUCATION> by inserting <— WORLD
- 4 LANGUAGES>
- 5 2. Page 11, after line 7 by inserting:
- 6 <Sec. __. Section 49.13, subsection 6, paragraph a,
- 7 subparagraph (3), Code 2018, is amended to read as follows:

8 (3) Receive credit in at least four subjects, each of
9 one period or hour, or the equivalent thereof, at all times.
10 The eligible subjects are language arts, social studies,
11 mathematics, science, health, physical education, fine arts,
12 ~~foreign world~~ language, and career and technical education.
13 Coursework taken as a postsecondary enrollment option for
14 which a school district or accredited nonpublic school grants
15 academic credit toward high school graduation shall be used
16 in determining eligibility. A student shall not be denied
17 eligibility if the student's school program deviates from the
18 traditional two-semester school year. Each student wishing
19 to participate under this subsection shall be passing all
20 coursework for which credit is given and shall be making
21 adequate progress toward graduation requirements at the end of
22 each grading period. At the end of a grading period that is the
23 final grading period in a school year, a student who receives
24 a failing grade in any course for which credit is awarded is
25 ineligible to participate under this subsection. A student who
26 is eligible at the close of a semester is academically eligible
27 to participate under this subsection until the beginning of
28 the subsequent semester. A student with a disability who
29 has an individualized education program shall not be denied
30 eligibility to participate under this subsection on the basis
31 of scholarship if the student is making adequate progress,
32 as determined by school officials, towards the goals and
33 objectives of the student's individualized education program.>
34 3. Page 11, after line 28 by inserting:
35 <Sec. __. Section 256.11, subsection 5, paragraph f, Code

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1 2018, is amended to read as follows:
2 *f.* Four sequential units of one ~~foreign world~~ language ~~other~~
3 ~~than which may include~~ American sign language. ~~Provision of~~
4 ~~instruction in American sign language shall be in addition to~~
5 ~~and not in lieu of provision of instruction in other foreign~~
6 ~~languages.~~ The department may waive the third and fourth years
7 of the ~~foreign world~~ language requirement on an annual basis
8 upon the request of the board of directors of a school district
9 or the authorities in charge of a nonpublic school if the
10 board or authorities are able to prove that a licensed teacher
11 was employed and assigned a schedule that would have allowed
12 students to enroll in a ~~foreign world~~ language class, the
13 ~~foreign world~~ language class was properly scheduled, students
14 were aware that a ~~foreign world~~ language class was scheduled,
15 and no students enrolled in the class.
16 Sec. __. Section 280.4, subsection 1, Code 2018, is amended
17 to read as follows:
18 1. The medium of instruction in all secular subjects taught
19 in both public and nonpublic schools shall be the English
20 language, except when the use of a ~~foreign world~~ language is
21 deemed appropriate in the teaching of any subject or when the

22 student is limited English proficient. When the student is
 23 limited English proficient, both public and nonpublic schools
 24 shall provide special instruction, which shall include but
 25 need not be limited to either instruction in English as a
 26 second language or transitional bilingual instruction until
 27 the student is fully English proficient or demonstrates a
 28 functional ability to speak, read, write, and understand the
 29 English language. As used in this section, "*limited English*
 30 *proficient*" means a student's language background is in a
 31 language other than English, and the student's proficiency
 32 in English is such that the probability of the student's
 33 academic success in an English-only classroom is below that
 34 of an academically successful peer with an English language
 35 background. "*Fully English proficient*" means a student who is

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1 able to read, understand, write, and speak the English language
 2 and to use English to ask questions, to understand teachers
 3 and reading materials, to test ideas, and to challenge what is
 4 being asked in the classroom.>
 5 4. By renumbering, redesignating, and correcting internal
 6 references as necessary.

WESSEL-KROESCHELL of Story

H-8201

1 Amend House File 2465 as follows:
 2 1. Page 1, line 18, by striking <thirteen> and inserting
 3 <twenty>
 4 2. Page 1, by striking line 20 and inserting:
 5 <3. Twenty members appointed by the>
 6 3. Page 1, after line 35 by inserting:
 7 <n. Iowa state police association.
 8 o. State police officers council.
 9 p. Iowa broadcasters association.
 10 q. Iowa association for justice.
 11 r. Iowa coalition against sexual assault.
 12 s. Motorola, inc.
 13 t. Animal rescue league of Iowa, inc.>

BALTIMORE of Boone

H-8202

1 Amend Senate File 481, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 1, by striking lines 2 through 6 and inserting:
 4 <__. "*Immigration detainer request*" means a written federal
 5 government request to a local entity to maintain temporary
 6 custody of an alien, including a United States department

7 of homeland security form I-247 or a similar or successor
 8 form. “*Immigration detainee request*” includes only written
 9 federal government requests that are accompanied by any of the
 10 following properly completed forms or similar or successor
 11 forms, if such forms or similar or successor forms are signed
 12 by an authorized United States immigration and customs
 13 enforcement officer:

14 a. United States department of homeland security form I-200.

15 b. United States department of homeland security form
 16 I-205.>

17 2. Page 4, line 16, by striking <or a county attorney>

18 3. Page 4, lines 21 and 22, by striking <or county attorney>

19 4. Page 4, lines 24 and 25, by striking <or county attorney>

20 5. Page 4, line 27, by striking <or county attorney>

21 6. Page 4, line 30, by striking <or county attorney>

22 7. Page 4, line 32, by striking <or county attorney>

23 8. Page 5, line 4, by striking <or county attorney>

24 9. Page 5, line 6, by striking <or county attorney>

25 10. Page 5, lines 19 and 20, by striking <or county
 26 attorney>

27 11. Page 5, line 33, by striking <or county attorney>

28 12. Page 6, line 33, by striking <or county attorney>

29 13. By renumbering, redesignating, and correcting internal
 30 references as necessary.

COMMITTEE ON PUBLIC SAFETY

H-8203

1 Amend House File 2443 as follows:

2 1. Page 1, line 3, by striking <section> and inserting
 3 <sections 716.7 and>

4 2. Page 1, by striking lines 8 through 12 and inserting
 5 <an organized effort to coordinate services for a child
 6 who is alleged to have committed a delinquent act, when the
 7 organized effort results in the dismissal of a complaint
 8 alleging the commission of the delinquent act or results in
 9 informally proceeding without a complaint being filed against
 10 the child, and which does not result in an informal adjustment
 11 agreement involving juvenile court services or the filing of a
 12 delinquency petition.>

13 3. Page 8, line 13, after <department> by inserting <
 14 except as necessary for the purpose of administering chapter
 15 692A>

BALTIMORE of Boone

H-8204

1 Amend House File 2350 as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <Section 1. Section 272.2, Code 2018, is amended by adding
 5 the following new subsection:
 6 NEW SUBSECTION. 21. Adopt rules pursuant to chapter
 7 17A requiring persons holding a license, certificate,
 8 authorization, or statement of recognition issued by the board
 9 who provide a service to students to undergo one hour of
 10 training on suicide awareness and prevention as a condition
 11 of renewal of the license, certificate, authorization, or
 12 statement of recognition. A person may meet this requirement
 13 through independent self-review of training materials approved
 14 by the board. The board may adopt rules pursuant to chapter
 15 17A providing for waiver or suspension of this requirement for
 16 a person who is engaged in active duty in the military or for a
 17 person who is not living or practicing in this state.>
 18 2. Title page, by striking lines 1 and 2 and inserting <An
 19 Act providing for school employee training relating to suicide
 20 awareness and prevention.>

MOORE of Cass

H-8205

1 Amend the amendment, H-8186, to House File 2442 as follows:
 2 1. Page 1, after line 4 by inserting:
 3 <__. Page 4, lines 31 and 32, by striking <an
 4 extracurricular interscholastic activity> and inserting <a
 5 contest>
 6 __. Page 4, lines 34 and 35, by striking <extracurricular
 7 interscholastic activity> and inserting <contest>>
 8 2. By renumbering as necessary.

WHEELER of Sioux

H-8206

1 Amend Senate File 2113, as passed by the Senate, as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 256.7, Code 2018, is amended by adding
 5 the following new subsection:
 6 NEW SUBSECTION. 33.a. For purposes of this subsection:
 7 (1) “*Adverse childhood experience*” means the same as defined
 8 in section 279.70.
 9 (2) “*Postvention*” means the same as defined in section
 10 279.70.
 11 b. Adopt rules to require school districts to adopt
 12 protocols for suicide prevention and postvention and the
 13 identification of adverse childhood experiences and strategies
 14 to mitigate toxic stress response. The protocols shall be
 15 based on nationally recognized best practices.
 16 Sec. 2.NEW SECTION. **279.70 Training on suicide prevention**
 17 **and identification of adverse childhood experiences and**

18 **strategies to mitigate toxic stress response.**

19 1. For purposes of this section, unless the context
20 otherwise requires:

21 *a. "Adverse childhood experience"* means a potentially
22 traumatic event occurring in childhood that can have negative,
23 lasting effects on an individual's health and well-being.

24 *b. "Postvention"* means the provision of crisis intervention,
25 support, and assistance for those affected by a suicide or
26 suicide attempt to prevent further risk of suicide.

27 2. By July 1, 2019, the board of directors of a school
28 district shall require annual, evidence-based training at
29 least one hour in length on suicide prevention and postvention
30 for all school personnel who hold a license, certificate,
31 authorization, or statement of recognition issued by the board
32 of educational examiners and who have regular contact with
33 students in kindergarten through grade twelve. The content
34 of the training shall be based on nationally recognized best
35 practices.

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1 3. By July 1, 2019, the board of directors of a
2 school district shall require annual, evidence-based,
3 evidence-supported training on the identification of adverse
4 childhood experiences and strategies to mitigate toxic
5 stress response for all school personnel who hold a license,
6 certificate, authorization, or statement of recognition issued
7 by the board of educational examiners and who have regular
8 contact with students in kindergarten through grade twelve.
9 The content of the training shall be based on nationally
10 recognized best practices.

11 Sec. 3.IMPLEMENTATION OF ACT. Section 25B.2, subsection 3,
12 shall not apply to this Act.>

13 2. Title page, by striking lines 1 and 2 and inserting <An
14 Act requiring school employee training and protocols relating
15 to suicide prevention and the identification of adverse
16 childhood experiences and strategies to mitigate toxic stress
17 response.>

MOORE of Cass

H-8207

1 Amend House File 2434 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1.**NEW SECTION. 144F.1 Definitions.**

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. "*Aftercare assistance*" means any assistance provided
8 by a lay caregiver to a patient following discharge of the
9 patient that are tasks directly related to the patient's

10 condition at the time of discharge, do not require a licensed
 11 professional, and are determined to be appropriate by the
 12 patient's discharging physician or other licensed health care
 13 professional.

14 2. "*Discharge*" means the exit or release of a patient from
 15 inpatient care in a hospital to the residence of the patient.

16 3. "*Facility*" means a health care facility as defined in
 17 section 135C.1, an elder group home as defined in section
 18 231B.1, or an assisted living program as defined in section
 19 231C.2.

20 4. "*Hospital*" means a licensed hospital as defined in
 21 section 135B.1.

22 5. "*Lay caregiver*" means an individual, eighteen years of
 23 age or older, who is designated as a lay caregiver under this
 24 chapter by a patient or the patient's legal representative, and
 25 who is willing and able to perform aftercare assistance for the
 26 patient at the patient's residence following discharge.

27 6. "*Legal representative*" means, in order of priority,
 28 an attorney in fact under a durable power of attorney for
 29 health care pursuant to chapter 144B or, if no durable power
 30 of attorney for health care has been executed pursuant to
 31 chapter 144B or if the attorney in fact is unavailable, a legal
 32 guardian appointed pursuant to chapter 633.

33 7. "*Patient*" means an individual who is receiving or who has
 34 received inpatient medical care in a hospital.

35 8. "*Residence*" means the dwelling that a patient considers

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1 to be the patient's home. "*Residence*" does not include any
 2 rehabilitation facility, hospital, or facility.

3 Sec. 2.NEW SECTION. 144F.2 Discharge policies —
 4 **opportunity to designate lay caregiver.**

5 1.a. A hospital shall adopt and maintain evidence-based
 6 discharge policies and procedures. At a minimum, the policies
 7 and procedures shall provide for an assessment of the patient's
 8 ability for self-care after discharge and, as part of the
 9 assessment, shall provide a patient, or if applicable the
 10 patient's legal representative, with an opportunity to
 11 designate one lay caregiver prior to discharge of the patient.

12 b. A legal representative who is an agent under a durable
 13 power of attorney for health care pursuant to chapter 144B
 14 shall be given the opportunity to designate a lay caregiver
 15 in lieu of the patient's designation of a lay caregiver only
 16 if, consistent with chapter 144B, in the judgment of the
 17 attending physician, the patient is unable to make the health
 18 care decision. A legal representative who is a guardian shall
 19 be given the opportunity to designate a lay caregiver in lieu
 20 of the patient's designation of a lay caregiver to the extent
 21 consistent with the powers and duties granted the guardian
 22 pursuant to section 633.635.

23 2. If a patient or the patient's legal representative

24 declines to designate a lay caregiver, the hospital shall
25 document the declination in the patient's medical record and
26 the hospital shall be deemed to be in compliance with this
27 section.

28 3. If a patient or the patient's legal representative
29 designates a lay caregiver, the hospital shall do all of the
30 following:

31 a. Record in the patient's medical record the designation of
32 the lay caregiver, in accordance with the hospital's policies
33 and procedures, which may include information such as the
34 relationship of the lay caregiver to the patient, and the name,
35 telephone number, and address of the lay caregiver.

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1 b.(1) Request written consent from the patient or the
2 patient's legal representative to release medical information
3 to the lay caregiver in accordance with the hospital's
4 established procedures for releasing a patient's personal
5 health information and in compliance with all applicable state
6 and federal laws.

7 (2) If a patient or the patient's legal representative
8 declines to consent to the release of medical information to
9 the lay caregiver, the hospital is not required to provide
10 notice to the lay caregiver under section 144F.3 or to consult
11 with or provide information contained in the patient's
12 discharge plan to the lay caregiver under section 144F.4.

13 4. A patient or the patient's legal representative may
14 change the designation of a lay caregiver if the lay caregiver
15 becomes incapacitated.

16 5. The designation of an individual as a lay caregiver under
17 this section does not obligate the individual to perform any
18 aftercare assistance for the patient.

19 6. This section shall not be construed to require a patient
20 or the patient's legal representative to designate a lay
21 caregiver.

22 **Sec. 3.NEW SECTION. 144F.3 Notification of lay caregiver**
23 **of discharge or transfer.**

24 If a lay caregiver is designated under section 144F.2, the
25 hospital shall, in accordance with the hospital's established
26 policies and procedures, attempt to notify the lay caregiver
27 of the discharge of the patient or transfer of the patient to
28 another hospital or facility as soon as practicable.

29 **Sec. 4.NEW SECTION. 144F.4 Aftercare assistance**
30 **instructions to lay caregiver.**

31 1. If a lay caregiver is designated under section 144F.2, as
32 soon as practicable prior to discharge of a patient, a hospital
33 shall attempt to do all of the following:

34 a. Consult with the patient's lay caregiver to prepare the
35 lay caregiver for the aftercare assistance the lay caregiver

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1 may provide.

2 b. Issue a discharge plan that describes the aftercare
3 assistance needs of the patient and offer to provide the lay
4 caregiver with instructions for the aftercare assistance tasks
5 described in the discharge plan and the opportunity for the lay
6 caregiver to ask questions regarding such tasks.

7 2. The inability of a hospital to consult with a patient's
8 lay caregiver shall not interfere with, delay, or otherwise
9 affect the medical care provided to the patient or the
10 patient's discharge.

11 **Sec. 5. NEW SECTION. 144F.5 Hospital discharge process —**
12 **evidence-based practices.**

13 A hospital's discharge process may incorporate established
14 evidence-based practices, including but not limited to any of
15 the following:

16 1. The standards for accreditation adopted by the joint
17 commission on the accreditation of health care organizations
18 or any other nationally recognized hospital accreditation
19 organization.

20 2. The conditions of participation for hospitals adopted by
21 the centers for Medicare and Medicaid services of the United
22 States department of health and human services.

23 **Sec. 6. NEW SECTION. 144F.6 Construction of chapter**
24 **relative to other health care directives.**

25 Nothing in this chapter shall be construed to interfere with
26 the authority or responsibilities of an agent operating under
27 a valid durable power of attorney for health care pursuant to
28 chapter 144B or of the powers and duties granted to a guardian
29 pursuant to section 633.635.

30 **Sec. 7. NEW SECTION. 144F.7 Limitations.**

31 1. Nothing in this chapter shall be construed to create
32 a private right of action against a hospital, a hospital
33 employee, or any consultant or contractor with whom a hospital
34 has a contractual relationship, or to limit or otherwise
35 supersede or replace existing rights or remedies under any

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1 other provision of law.

2 2. Nothing in this chapter shall delay the appropriate
3 discharge or transfer of a patient.

4 3. Nothing in this chapter shall be construed to interfere
5 with or supersede a health care provider's instructions
6 regarding a Medicare-certified home health agency or any other
7 post-acute care provider.

8 4. Nothing in this chapter shall be construed to grant
9 decision-making authority to a lay caregiver to determine the
10 type of provider or provider of the patient's post-hospital
11 care as specified in the patient's discharge plan.>

H-8208

1 Amend the amendment, H-8171, to House File 2401 as follows:

2 1. Page 14, after line 27 by inserting:

3 <DIVISION ____

4 PRESENCE OF SEX OFFENDER — PUBLIC OR NONPUBLIC ELEMENTARY OR
5 SECONDARY SCHOOL

6 Sec. ____ Section 692A.109, subsection 1, paragraph g, Code
7 2018, is amended to read as follows:

8 g. Inform the sex offender ~~who was convicted of a sex~~
9 ~~offense against a minor~~ of the prohibitions established under
10 section 692A.113 by providing the offender with a written
11 copy of section 692A.113 and relevant definitions of section
12 692A.101.

13 Sec. ____ Section 692A.113, subsection 1, paragraph a, Code
14 2018, is amended by striking the paragraph.

15 Sec. ____ Section 692A.113, Code 2018, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 4. A sex offender who has been convicted
18 of a sex offense or a person required to register as a sex
19 offender in another jurisdiction shall not be present upon the
20 real property of a public or nonpublic elementary or secondary
21 school unless any of the following apply:

22 a.(1) The sex offender has written permission of the
23 school administrator or school administrator's designee to
24 be present upon the real property of a public or nonpublic
25 elementary or secondary school.

26 (2) A school administrator or the school administrator's
27 designee shall not unreasonably withhold issuing written
28 permission under this paragraph.

29 b. The sex offender is enrolled as a student at the school.

30 c. The sex offender is the parent or legal guardian of a
31 minor and is present on the real property solely during the
32 period of time reasonably necessary to transport the offender's
33 own minor child or ward to or from the school.

34 d. The sex offender is entitled to vote and is present on
35 the real property solely for the period of time reasonably

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1 necessary to exercise the right to vote in a public election if
2 the polling location of the offender is located in the school.>

3 2. By renumbering as necessary.

JONES of Clay
RIZER of Linn

H-8209

1 Amend House File 2384 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 562A.11, subsection 2, Code 2018,
 5 is amended by striking the subsection and inserting in lieu
 6 thereof the following:
 7 2. A provision in a rental agreement prohibited by
 8 subsection 1 is unenforceable. If a landlord seeks to enforce
 9 the provision or accepts a tenant's voluntary compliance with
 10 the provision, the court may award the tenant actual damages
 11 sustained by the tenant, reasonable attorney fees, and an
 12 amount not to exceed three times the periodic rent.
 13 Sec. 2. Section 562B.11, subsection 2, Code 2018, is amended
 14 by striking the subsection and inserting in lieu thereof the
 15 following:
 16 2. A provision in a rental agreement prohibited by
 17 subsection 1 is unenforceable. If a landlord seeks to enforce
 18 the provision or accepts a tenant's voluntary compliance with
 19 the provision, the court may award the tenant actual damages
 20 sustained by the tenant, reasonable attorney fees, and an
 21 amount not to exceed three times the periodic rent.>

BOSSMAN of Woodbury

H-8210

1 Amend the amendment, H-8116, to House File 2372 as follows:
 2 1. Page 1, line 11, after <331.207.> by inserting <However,
 3 a county with a population of sixty thousand or more based on
 4 the most recent federal decennial census shall use plan "three"
 5 for the election of supervisors.>
 6 2. Page 1, after line 11 by inserting:
 7 <Sec. __.TRANSITION PROVISION. Notwithstanding any
 8 provision of law to the contrary, a county with a population
 9 of sixty thousand or more based on the most recent federal
 10 decennial census that does not use plan "three" for the
 11 election of supervisors, as defined in section 331.206, as
 12 of the effective date of this Act shall not be required to
 13 elect supervisors using plan "three" until the election for
 14 supervisors following the adoption of a representation plan
 15 drawn pursuant to section 331.210A, subsection 2, paragraph
 16 "F", after the redistricting of congressional and legislative
 17 districts becomes law following the federal decennial census
 18 taken in the year 2020.>
 19 3. By renumbering as necessary.

CARLSON of Muscatine

H-8211

1 Amend House File 2468 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 717B.2, unnumbered paragraph 1, Code
 5 2018, is amended to read as follows:

6 A person is ~~guilty of~~ commits animal abuse if the person
 7 ~~intentionally injures, maims, disfigures, or destroys an animal~~
 8 ~~owned by another person, in any manner, including intentionally~~
 9 ~~poisoning the animal knowingly or recklessly causes injury or~~
 10 ~~death to an animal by force, violence, or poisoning.~~ A person
 11 ~~guilty of who commits~~ animal abuse is guilty of an aggravated
 12 misdemeanor. This section shall not apply to any of the
 13 following:

14 Sec. 2. Section 717B.2, Code 2018, is amended by adding the
 15 following new subsection:

16 NEW SUBSECTION. 12. A commercial establishment as defined
 17 in section 162.2 including a state licensee, registrant, or
 18 permittee, provided that the commercial establishment complies
 19 with the standard of care applicable to its type pursuant to
 20 section 162.10A.

21 Sec. 3. Section 717B.3, subsection 1, unnumbered paragraph
 22 1, Code 2018, is amended to read as follows:

23 A person who ~~impounds or owns or has custody of an animal,~~
 24 ~~and confines, in any place, an that animal, is guilty of~~
 25 commits animal neglect if the person knowingly or recklessly
 26 does any of the following:

27 Sec. 4. Section 717B.3, subsection 3, Code 2018, is amended
 28 to read as follows:

29 3.a. A Except as provided in paragraph "b", a person who
 30 ~~negligently or intentionally commits the offense of animal~~
 31 ~~neglect is guilty of a simple misdemeanor.~~

32 b. A person who ~~intentionally commits the offense of animal~~
 33 ~~neglect which that~~ results in serious injury to or the death of
 34 an animal is guilty of a serious misdemeanor.

35 Sec. 5. Section 717B.3A, subsection 1, Code 2018, is amended

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1 to read as follows:

2 1. A person is ~~guilty of~~ commits animal torture, ~~regardless~~
 3 ~~of whether the person is the owner of the animal,~~ if the person
 4 inflicts upon the an animal severe physical and prolonged or
 5 repeated physical pain with a ~~depraved or sadistic intent~~
 6 ~~to cause that results in the animal's prolonged or repeated~~
 7 ~~suffering and injury or death.~~

8 Sec. 6. Section 717B.3A, subsection 2, Code 2018, is amended
 9 by adding the following new paragraph:

10 NEW PARAGRAPH. l. A commercial establishment as defined
 11 in section 162.2 including a state licensee, registrant, or
 12 permittee, provided that the commercial establishment complies
 13 with the standard of care applicable to its type pursuant to
 14 section 162.10A.>

15 2. Title page, by striking lines 2 through 4 and inserting
 16 <livestock and certain wild animals, and including penalties.>

H-8212

1 Amend Senate File 2099, as passed by the Senate, as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 633.3, Code 2018, is amended by adding
 4 the following new subsection:
 5 NEW SUBSECTION. 30A. Probate assets — means a
 6 decedent's property subject to administration by a personal
 7 representative.>
 8 2. Page 1, line 14, by striking <probated> and inserting
 9 <~~probated~~ administered>
 10 3. Page 1, after line 15 by inserting:
 11 <Sec. __. Section 635.2, subsection 5, Code 2018, is
 12 amended to read as follows:
 13 5. A statement that the probate ~~property assets~~ of the
 14 decedent subject to the jurisdiction of this state does not
 15 have an aggregate gross value of more than the amount permitted
 16 under the provisions of section 635.1 and the approximate
 17 amount of personal property and income for the purposes of
 18 setting a bond.>
 19 4. Page 1, by striking lines 27 and 28 and inserting:
 20 <2. The report and inventory shall ~~show the gross value~~
 21 ~~of probate assets subject to the jurisdiction of this state~~
 22 separately specify which assets are probate assets subject to
 23 the jurisdiction of this state and clearly state their gross
 24 value and the sum thereof.>
 25 5. Page 1, line 33, by striking <probated> and inserting
 26 <~~probated~~ administered>
 27 6. Page 1, line 34, by striking <shows> and inserting <~~shows~~
 28 separately specifies>
 29 7. Page 2, line 5, by striking <statement> and inserting
 30 <~~report~~>
 31 8. Page 2, by striking lines 19 and 20 and inserting
 32 <interested parties within a reasonable time ~~from the date of~~
 33 ~~issuance of the letters of appointment~~ after the expiration of
 34 all times following all notices required in chapter 633. The
 35 closing statement>

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1 9. Page 2, line 32, by striking <of the estate> and
 2 inserting <~~of the estate~~ explaining how and to whom the probate
 3 assets will be distributed>
 4 10. Page 4, line 9, by striking <probate> and inserting
 5 <~~probate report and~~>
 6 11. Page 4, by striking lines 23 through 30 and inserting:
 7 <Sec. __. EFFECTIVE DATE. This Act takes effect January
 8 1, 2020.
 9 Sec. __. APPLICABILITY. The following applies January 1,
 10 2020, to estates opened under chapter 635 or converted from
 11 administration under chapter 633 on or after January 1, 2020:
 12 The section of this Act amending section 635.1.

13 Sec. __.APPLICABILITY. The following applies January 1,
 14 2020, to estates being probated under chapter 635 on or after
 15 January 1, 2020:
 16 The sections of this Act amending sections 633.3, 635.2,
 17 635.7 and 635.8.>
 18 12. Title page, line 2, after <including> by inserting
 19 <effective date and>
 20 13. By renumbering as necessary.

GUSTAFSON of Madison

H-8213

1 Amend House File 2430 as follows:
 2 1. Page 1, line 7, by striking <twenty-five> and inserting
 3 <thirty>

FISHER of Tama

H-8214

1 Amend House File 2252 as follows:
 2 1. Page 3, before line 19 by inserting:
 3 <Sec. __.NEW SECTION. **49.129 Voter education.**
 4 The secretary of state shall provide voter education
 5 programs in each county in the state designed to inform
 6 voters regarding voting laws, including voter registration and
 7 identification requirements.>
 8 2. By renumbering as necessary.

HUNTER of Polk

H-8215

1 Amend Senate File 2200, as passed by the Senate, as follows:
 2 1. Page 3, line 3, by striking <commerce> and inserting
 3 <commerce, except as permitted under Title 38 of the United
 4 States Code>

BAXTER of Hancock

H-8216

1 Amend the amendment, H-8001, to Senate File 475, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 12, after line 24 by inserting:
 4 <DIVISION __
 5 BUDGET ADJUSTMENT
 6 Sec. __. Section 257.2, subsection 2, Code 2018, is amended
 7 by striking the subsection.
 8 Sec. __.NEW SECTION. **257.14A District cost per pupil**
 9 **equity — budget adjustment.**
 10 1. The board of directors of a school district with a

11 regular program district cost per pupil that is less than the
 12 highest regular program district cost per pupil among all
 13 school districts in the state for the same budget year that
 14 wishes to receive the budget adjustment under this section
 15 may adopt a resolution by May 15 preceding the budget year
 16 stating that the board will use funds from its cash reserve for
 17 personnel costs and services that directly affect the safety
 18 of students, and shall within ten days of adoption of the
 19 resolution notify the department of management of the amount of
 20 the budget adjustment to be received.

21 2.a. For budget years beginning on or after July 1,
 22 2018, each school district that satisfies the requirements of
 23 subsection 1 shall be eligible for a budget adjustment for that
 24 budget year in an amount not to exceed the difference between
 25 the school district's regular program district cost per pupil
 26 and the highest regular program district cost per pupil among
 27 all school districts in the state multiplied by the district's
 28 budget enrollment. The resolution adopted under subsection 1
 29 may specify a budget adjustment amount that is less than the
 30 maximum amount authorized under this paragraph "a".

31 b. The school district shall fund the budget adjustment
 32 either by using moneys from its unexpended fund balance or by
 33 using cash reserve moneys.

34 3. A budget adjustment received under this section shall
 35 not affect the eligibility for or amount of any other budget

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1 adjustment authorized by law for the same budget year. In
 2 addition, a budget adjustment under this section shall be
 3 limited to the budget year for which the adjustment was
 4 authorized and shall not be included in any computation of a
 5 school district's cost for any future budget year.

6 Sec. ____ Section 257.34, Code 2018, is amended to read as
 7 follows:

8 **257.34 Cash reserve information.**

9 1. If a school district receives less state school
 10 foundation aid under section 257.1 than is due under that
 11 section for a base year and the school district uses funds
 12 from its cash reserve during the base year to make up for
 13 the amount of state aid not paid, the board of directors of
 14 the school district shall include in its general fund budget
 15 document information about the amount of the cash reserve used
 16 to replace state school foundation aid not paid.

17 2. If a school district uses funds from its cash reserve
 18 during the base year to fund a budget adjustment under section
 19 257.14A, the board of directors of the school district shall
 20 include in its general fund budget document information about
 21 the amount of the cash reserve used for such purpose.

22 Sec. ____ IMPLEMENTATION. Notwithstanding the deadline
 23 for adopting a resolution to approve the budget adjustment
 24 in section 257.14A, subsection 1, for the school budget

25 year beginning July 1, 2018, the resolution of the board of
 26 directors of a school district shall be approved not later than
 27 June 10, 2018.

28 Sec. __.EFFECTIVE UPON ENACTMENT. This division of this
 29 Act, being deemed of immediate importance, take effect upon
 30 enactment.>

31 2. Title page, line 5, after <fees> by inserting <and budget
 32 adjustments>

33 3. By renumbering, redesignating, and correcting internal
 34 references as necessary.

WINCKLER of Scott
 KURTH of Scott
 THEDE of Scott

H-8217

1 Amend House File 2465 as follows:

2 1. Page 1, line 18, by striking <thirteen> and inserting
 3 <nineteen>

4 2. Page 1, line 19, by striking <five> and inserting <six>

5 3. Page 1, by striking line 20 and inserting:

6 <3. Nineteen members appointed by the>

7 4. Page 1, after line 35 by inserting:

8 < n. Iowa state police association.

9 o. State police officers council.

10 p. Iowa broadcasters association.

11 q. Iowa association for justice.

12 r. Iowa coalition against sexual assault.

13 s. Animal rescue league of Iowa, inc.>

14 5. Page 2, after line 8 by inserting:

15 <c. One member representing Motorola, inc., shall serve as
 16 an ex officio, nonvoting member and shall provide informational
 17 and technical expertise to the task force.>

BALTIMORE of Boone

H-8218

1 Amend Senate File 2169, as passed by the Senate, as follows:

2 1. Page 1, after line 30 by inserting:

3 <Sec. __. Section 123.132, subsection 1, Code 2018, is
 4 amended to read as follows:

5 1. The holder of a class "C" beer permit shall be allowed
 6 to sell non-refrigerated beer to consumers at retail for
 7 consumption off the premises. The sales made pursuant to this
 8 section shall be made in original containers except as provided
 9 in subsection 2.>

10 2. Title page, by striking lines 1 and 2 and inserting <An
 11 Act relating to alcoholic beverage licensees or permittees by
 12 limiting the liability of an alcoholic beverage licensee or
 13 permittee for certain alcohol-related injuries and restricting

14 the sale of refrigerated beer by certain beer permittees.>

BAUDLER of Adair

H-8219

1 Amend the amendment, H-8116, to House File 2372 as follows:

2 1. Page 1, by striking lines 14 and 15 and inserting:

3 <__. Page 2, by striking lines 4 through 6 and inserting

4 <"qualifying county" means a county that elects supervisors

5 under plan "three">>

6 2. By renumbering as necessary.

CARLSON of Muscatine

H-8220

1 Amend House File 2462 as follows:

2 1. By striking page 2, line 35, through page 3, line 3, and

3 inserting:

4 <Sec. __.MEDICAID PROGRAM ADMINISTRATION.

5 1. PROVIDER PROCESSES AND PROCEDURES.

6 a. When all of the required documents and other information
7 necessary to process a claim have been received by a managed
8 care organization, the managed care organization shall
9 either provide payment to the claimant within the timelines
10 specified in the managed care contract or, if the managed
11 care organization is denying the claim in whole or in part,
12 shall provide notice to the claimant including the reasons for
13 such denial consistent with national industry best practice
14 guidelines.

15 b. If a managed care organization discovers that a claims
16 payment barrier is the result of a managed care organization's
17 identified system configuration error, the managed care
18 organization shall correct such error within ninety days of the
19 discovery of the error and shall fully and accurately reprocess
20 the claims affected by the error within thirty days of such
21 discovery. For the purposes of this paragraph, "configuration
22 error" means an error in provider data, an incorrect fee
23 schedule, or an incorrect claims edit.

24 c. The department of human services shall provide for
25 the development and require the use of standardized Medicaid
26 provider enrollment forms to be used by the department and
27 uniform Medicaid provider credentialing standards to be used
28 by managed care organizations. The credentialing process is
29 deemed to begin when the managed care organization has received
30 all necessary credentialing materials from the provider and is
31 deemed to have ended when written communication is mailed or
32 faxed to the provider notifying the provider of the managed
33 care organization's decision.

34 2. MEMBER SERVICES AND PROCESSES.

35 a. If a Medicaid member prevails in a review by a managed

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1 care organization or on appeal regarding the provision
2 of services, the services subject to the review or appeal
3 shall be extended for a period of time determined by the
4 director of human services. However, services shall not be
5 extended if there is a change in the member's condition that
6 warrants a change in services as determined by the member's
7 interdisciplinary team, there is a change in the member's
8 eligibility status as determined by the department of human
9 services, or the member voluntarily withdraws from services.

10 b. If a Medicaid member is receiving court-ordered services
11 or treatment, such services or treatment shall be provided
12 and reimbursed for an initial period of five days before a
13 managed care organization may apply medical necessity criteria
14 to determine the most appropriate services, treatment, or
15 placement for the Medicaid member.

16 c. The department of human services shall review and have
17 approval authority for a Medicaid member's level of care
18 reassessment that indicates a decrease in the level of care.
19 A managed care organization shall comply with the findings of
20 the departmental review and approval of such level of care
21 reassessment. If a level of care reassessment indicates there
22 is no change in a Medicaid member's level of care needs, the
23 Medicaid member's existing level of care shall be continued. A
24 managed care organization shall maintain and make available to
25 the department of human services all documentation relating to
26 a Medicaid member's level of care assessment.

27 d. The department of human services shall maintain and
28 update Medicaid member eligibility files in a timely manner
29 consistent with national industry best practices.

30 3. MEDICAID PROGRAM REVIEW AND OVERSIGHT.

31 a.(1) The department of human services shall facilitate a
32 workgroup, in collaboration with representatives of the managed
33 care organizations and health home providers, to review the
34 health home programs. The review shall include all of the
35 following:

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1 (a) An analysis of the state plan amendments applicable to
2 health homes.

3 (b) An analysis of the current health home system, including
4 the rationale for any recommended changes.

5 (c) The development of a clear and consistent delivery
6 model linked to program-determined outcomes and data reporting
7 requirements.

8 (d) A work plan to be used in communicating with
9 stakeholders regarding the administration and operation of the
10 health home programs.

11 (2) The department of human services shall submit a report

12 of the workgroup's findings and recommendations by December
 13 15, 2018, to the governor and to the Eighty-eighth General
 14 Assembly, 2019 session, for consideration.

15 b. The department of human services, in collaboration
 16 with Medicaid providers and managed care organizations, shall
 17 initiate a review process to determine the effectiveness of
 18 prior authorizations used by the managed care organizations
 19 with the goal of making adjustments based on relevant
 20 service costs and member outcomes data utilizing existing
 21 industry-accepted standards. Prior authorization policies
 22 shall comply with existing rules, guidelines, and procedures
 23 developed by the centers for Medicare and Medicaid services of
 24 the United States department of health and human services.

25 c. The department of human services shall enter into a
 26 contract with an independent auditor to perform an audit of
 27 small dollar claims paid to or denied Medicaid long-term
 28 services and supports providers. The department may take any
 29 action specified in the managed care contract relative to
 30 any claim the auditor determines to be incorrectly paid or
 31 denied, subject to appeal by the managed care organization
 32 to the director of human services. For the purposes of this
 33 paragraph, "small dollar claims" means those claims less than
 34 or equal to two thousand five hundred dollars.>

35 2. By renumbering as necessary.

HEATON of Henry
 FRY of Clarke

H-8221

1 Amend the amendment, H-8213, to House File 2430 as follows:

2 1. Page 1, after line 3 by inserting:

3 <__. Page 1, line 10, by striking <duties.> and inserting
 4 <duties, unless the member fails to use an audible signaling
 5 device meeting the requirements of section 321.433 and a
 6 visual signaling device authorized under section 321.423 while
 7 performing the member's official duties from sunrise to sunset,
 8 or fails to use a visual signaling device authorized under
 9 section 321.423 while performing the member's official duties
 10 from sunset to sunrise.>>

11 2. By renumbering as necessary.

OLSON of Polk

H-8222

1 Amend Senate File 2169, as passed by the Senate, as follows:

2 1. Page 1, after line 30 by inserting:

3 <Sec. ____. Section 123.92, subsection 2, paragraph a, Code
 4 2018, is amended to read as follows:

5 a. Every liquor control licensee, class "B" beer permittee,

6 class “C” beer permittee, and class “C” native wine permittee,
 7 except a class “E” liquor control licensee, shall furnish proof
 8 of financial responsibility by the existence of a liability
 9 insurance policy in an amount determined by the division. If
 10 an insurer provides dramshop liability insurance at a new
 11 location to a licensee or permittee who has a positive loss
 12 experience at other locations for which such insurance is
 13 provided by the insurer, and the insurer bases premium rates at
 14 the new location on the negative loss history of the previous
 15 licensee or permittee at that location, the insurer shall
 16 examine and consider adjusting the premium for the new location
 17 not less than thirty months after the insurance is issued,
 18 based on the loss experience of the licensee or permittee at
 19 that location during that thirty-month period of time.>
 20 2. Title page, line 2, after <injuries> by inserting <and
 21 requiring certain permittees to obtain liability insurance>
 22 3. By renumbering as necessary.

MEYER of Polk

H-8223

1 Amend the amendment, H-8184, to Senate File 2169, as passed
 2 by the Senate, as follows:
 3 1. Page 1, by striking lines 2 through 6 and inserting:
 4 <_. Page 1, line 7, by striking up to the amount
 5 specified in paragraph “c” or “d”.>
 6 _. Page 1, by striking lines 22 through 30.>

MEYER of Polk

H-8224

1 Amend House File 2252 as follows:
 2 1. Page 2, before line 25 by inserting:
 3 <Sec. __. Section 48A.10A, subsection 1, Code 2018, is
 4 amended to read as follows:
 5 1. The state registrar shall compare lists of persons who
 6 are registered to vote with the department of transportation’s
 7 driver’s license and nonoperator’s identification card files
 8 and shall, on an initial basis, issue a voter identification
 9 card to each active, registered voter whose name does not
 10 appear in the department of transportation’s files so
 11 long as the names are not completely identical. The voter
 12 identification card shall include the name of the registered
 13 voter, a signature line above which the registered voter shall
 14 sign the voter identification card, the registered voter’s
 15 identification number assigned to the voter pursuant to section
 16 47.7, subsection 2, and an additional four-digit personal
 17 identification number assigned by the state commissioner.>
 18 2. By renumbering as necessary.

WESSEL-KROESCHELL of Story

H-8225

- 1 Amend House File 2252 as follows:
 2 1. By striking page 1, line 9, through page 5, line 9.
 3 2. Title page, by striking lines 1 through 6 and inserting
 4 <An Act relating to the safe at home program.>

HUNTER of Polk

H-8226

- 1 Amend House File 2252 as follows:
 2 1. Page 1, before line 9 by inserting:
 3 <Sec. ___. Section 22.7, subsections 72 and 73, Code 2018,
 4 are amended by striking the subsections.>
 5 2. Page 1, before line 28 by inserting:
 6 <Sec. ___. Section 48A.2, subsection 5, Code 2018, is
 7 amended by striking the subsection.>
 8 3. Page 2, by striking lines 13 through 16 and inserting
 9 <~~Before signing an oath under this paragraph, the attesting~~
 10 registered voter shall present to the precinct election
 11 official proof of the voter's identity, as described in section
 12 49.28, subsection 2. The registered voter's oath shall>
 13 4. Page 2, before line 25 by inserting:
 14 <Sec. ___. Section 48A.38, subsection 1, paragraph f, Code
 15 2018, is amended to read as follows:
 16 f. The county commissioner of registration and the state
 17 registrar of voters shall remove a voter's whole or partial
 18 social security number, as applicable, ~~voter identification~~
 19 ~~number assigned by the state commissioner~~, Iowa driver's
 20 license number, or Iowa nonoperator's identification card
 21 number from a voter registration list prepared pursuant to this
 22 section.
 23 Sec. ___. Section 49.53, subsection 1, Code 2018, is amended
 24 to read as follows:
 25 1. The commissioner shall not less than four nor more than
 26 twenty days before the day of each election, except those for
 27 which different publication requirements are prescribed by law,
 28 publish notice of the election. The notice shall contain a
 29 facsimile of the portion of the ballot containing the first
 30 rotation as prescribed by section 49.31, subsection 2, and
 31 shall show the names of all candidates or nominees and the
 32 office each seeks, and all public questions, to be voted upon
 33 at the election. The sample ballot published as a part of the
 34 notice may at the discretion of the commissioner be reduced in
 35 size relative to the actual ballot but such reduction shall

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- 1 not cause upper case letters appearing in candidates' names or

2 in summaries of public measures on the published sample ballot
3 to be less than nine point type. The notice shall also state
4 the date of the election, the hours the polls will be open,
5 ~~that each voter is required to provide identification at the~~
6 ~~polling place before the voter can receive and cast a ballot,~~
7 the location of each polling place at which voting is to occur
8 in the election, and the names of the precincts voting at each
9 polling place, but the statement need not set forth any fact
10 which is apparent from the portion of the ballot appearing as
11 a part of the same notice. The notice shall include the full
12 text of all public measures to be voted upon at the election.

13 Sec. ____ Section 49.77, subsection 1, unnumbered paragraph
14 1, Code 2018, is amended to read as follows:

15 The board members of their respective precincts shall have
16 charge of the ballots and shall furnish them to the voters
17 ~~after verifying each voter's identity pursuant to section~~
18 ~~49.78.>~~

19 5. By striking page 2, line 25, through page 3, line 18.

20 6. Page 3, before line 19 by inserting:

21 <Sec. ____ Section 49.124, subsection 3, Code 2018, is
22 amended by striking the subsection.>

23 7. Page 4, before line 16 by inserting:

24 <Sec. ____ Section 53.2, subsections 1 and 4, Code 2018, are
25 amended to read as follows:

26 1.a. Any registered voter, under the circumstances
27 specified in section 53.1, may on any day, except election
28 day, ~~and not more than one hundred twenty days prior to the~~
29 ~~date of the election,~~ apply in person for an absentee ballot
30 at the commissioner's office or at any location designated by
31 the commissioner. However, for those elections in which the
32 commissioner directs the polls be opened at noon pursuant to
33 section 49.73, a voter may apply in person for an absentee
34 ballot at the commissioner's office from 8:00 a.m. until 11:00
35 a.m. on election day.

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1 b. A registered voter may make written application to the
2 commissioner for an absentee ballot. A written application
3 for an absentee ballot must be received by the commissioner no
4 later than 5:00 p.m. on the same day as the voter registration
5 deadline provided in section 48A.9 for the election for which
6 the ballot is requested, except when the absentee ballot is
7 requested and voted at the commissioner's office pursuant to
8 section 53.10. ~~A written application for an absentee ballot~~
9 ~~delivered to the commissioner and received by the commissioner~~
10 ~~more than one hundred twenty days prior to the date of the~~
11 ~~election shall be returned to the voter with a notification of~~
12 ~~the date when the applications will be accepted.~~

13 4.a. Each application shall contain the following
14 information:

15 (1) The name and signature of the registered voter.

16 (2) The registered voter's date of birth.
 17 (3) The address at which the voter is registered to vote.
 18 ~~(4) The registered voter's voter verification number.~~
 19 ~~(5) (4)~~ (4) The name or date of the election for which the
 20 absentee ballot is requested.
 21 ~~(6) (5)~~ (5) Such other information as may be necessary to
 22 determine the correct absentee ballot for the registered voter.
 23 b. If insufficient information has been provided, including
 24 ~~the absence of a voter verification number~~, either on the
 25 prescribed form or on an application created by the applicant,
 26 the commissioner shall, by the best means available, obtain
 27 the additional necessary information. ~~A voter requesting~~
 28 ~~or casting a ballot pursuant to section 53.22 shall not be~~
 29 ~~required to provide a voter verification number.~~
 30 e. For purposes of this subsection, "~~voter verification~~
 31 ~~number~~" means the registered voter's driver's license number
 32 ~~or nonoperator's identification card number assigned to the~~
 33 ~~voter by the department of transportation or the registered~~
 34 ~~voter's identification number assigned to the voter by the~~
 35 ~~state commissioner pursuant to section 47.7, subsection 2.>~~

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1 8. Page 5, before line 3 by inserting:
 2 <Sec. __. Section 53.22, subsection 8, Code 2018, is
 3 amended by striking the subsection.
 4 Sec. __. Section 53.25, subsection 1, paragraph b, Code
 5 2018, is amended by striking the paragraph.
 6 Sec. __. Section 53.25, subsection 2, Code 2018, is amended
 7 to read as follows:
 8 2. If the absentee ~~or provisional~~ ballot is rejected prior
 9 to the opening of the affidavit envelope or return envelope
 10 marked with the affidavit, the voter casting the ballot shall
 11 be notified by a precinct election official by the time the
 12 canvass is completed of the reason for the rejection on a form
 13 prescribed by the state commissioner of elections.
 14 Sec. __. Section 53.45, subsection 1, paragraph b, Code
 15 2018, is amended to read as follows:
 16 b. ~~The application for a special absentee ballot shall not~~
 17 ~~be filed earlier than one hundred twenty days prior to the~~
 18 ~~general election.~~ The special absentee ballot shall list the
 19 offices and measures, if known, scheduled to appear on the
 20 general election ballot. The eligible elector may use the
 21 special absentee ballot to write in the name of any eligible
 22 candidate for each office and may vote on any measure.>
 23 9. Page 5, before line 8 by inserting:
 24 <Sec. __.REPEAL. Sections 48A.10A and 49.78, Code 2018,
 25 are repealed.
 26 Sec. __.APPLICABILITY. This Act applies to elections held
 27 on or after the effective date of this Act.>
 28 10. Title page, line 5, after <date> by inserting <and
 29 applicability>

30 11. By renumbering, redesignating, and correcting internal
31 references as necessary.

MASCHER of Johnson

H-8227

1 Amend House File 2252 as follows:
2 1. Page 4, line 35, after <transportation> by inserting <
3 the last four digits of the registered voter's social security
4 number.>

OURTH of Warren

H-8228

1 Amend House File 2252 as follows:
2 1. Page 3, before line 19 by inserting:
3 <Sec. NEW SECTION. 49.129 Identification requirements
4 — signs at polling locations.
5 Each polling location shall post a sign informing voters
6 that each voter shall be required to present identification
7 in order to vote and that a voter who fails to present such
8 identification may cast a provisional ballot.>
9 2. By renumbering as necessary.

OLSON of Polk

H-8229

1 Amend House File 2252 as follows:
2 1. Page 2, before line 25 by inserting:
3 <Sec. Section 49.78, subsection 2, paragraph a, Code
4 2018, is amended by adding the following new subparagraphs:
5 (5) A voter registration card.
6 (6) An identification card issued by a tribal government.
7 (7) A social security card.
8 (8) A birth certificate.
9 (9) An identification document for receiving public
10 assistance.
11 (10) An electronic benefits transfer card issued to a
12 beneficiary of the federal supplemental nutrition assistance
13 program.
14 (11) A Medicare or Medicaid card.
15 (12) A long-term care identification card.
16 (13) A hunting license.
17 (14) A fishing license.
18 (15) An identification card issued by a college or
19 university.
20 (16) An employee identification card issued by a
21 governmental entity.
22 (17) An identification card issued by an employer.
23 (18) A union membership card.

- 24 (19) A paycheck.
 25 (20) A debit or credit card.
 26 (21) A utility bill, whether presented in print or in an
 27 electronic format.
 28 (22) A form of identification approved by the Iowa state
 29 association of county auditors.>
 30 2. By renumbering as necessary.

HUNTER of Polk

H-8230

- 1 Amend House File 2435 as follows:
 2 1. Page 2, by striking lines 18 through 24.
 3 2. Page 3, by striking lines 6 through 16.
 4 3. Title page, lines 3 and 4, by striking <and supervised
 5 electronic tracking and monitoring>
 6 4. By renumbering as necessary.

NUNN of Polk

H-8231

- 1 Amend House File 2252 as follows:
 2 1. Page 5, before line 8 by inserting:
 3 <Sec. ___.STATEWIDE VOTER REGISTRATION SYSTEM UPDATE. The
 4 state registrar of voters shall, before the next general
 5 election, update the statewide voter registration system to
 6 correct any missing or inaccurate information.>
 7 2. By renumbering as necessary.

MASCHER of Johnson

H-8232

- 1 Amend House File 2252 as follows:
 2 1. Page 4, line 35, by striking <transportation> and
 3 inserting <transportation, the registered voter's date of
 4 birth>

HUNTER of Polk

H-8233

- 1 Amend House File 2252 as follows:
 2 1. Page 5, before line 8 by inserting:
 3 <Sec. ___. Section 144.26, subsection 1, paragraph a, Code
 4 2018, is amended to read as follows:
 5 a. A death certificate for each death which occurs in this
 6 state shall be filed as directed by the state registrar within
 7 three days after the death and prior to final disposition, and
 8 shall be registered by the county registrar and transmitted to
 9 the county commissioner of elections if it has been completed

10 and filed in accordance with this chapter. A death certificate
 11 shall include the social security number, if provided, of the
 12 deceased person. All information including the certifying
 13 physician's, physician assistant's, or advanced registered
 14 nurse practitioner's name shall be typewritten.

15 Sec. ____ Section 144.26, subsection 3, paragraph b, Code
 16 2018, is amended to read as follows:

17 b. If a decedent died outside of the county of the
 18 decedent's residence, the state registrar shall send a copy
 19 of the decedent's death certificate and any amendments to the
 20 county registrar and the county commissioner of elections of
 21 the county of the decedent's residence. The county registrar
 22 shall record a death certificate received pursuant to this
 23 paragraph in the same records in which the death certificate of
 24 a decedent who died within the county is recorded. The state
 25 registrar may provide the county registrars with electronic
 26 access to vital records in lieu of the requirements of this
 27 paragraph.>

28 2. By renumbering as necessary.

HUNTER of Polk

H-8234

1 Amend House File 2252 as follows:

2 1. Page 4, before line 16 by inserting:

3 <Sec. ____ Section 53.8, subsection 1, paragraph a,
 4 unnumbered paragraph 1, Code 2018, is amended to read as
 5 follows:

6 Upon receipt of an application for an absentee ballot
 7 and immediately after the absentee ballots are printed,
 8 ~~but not more than twenty-nine days before the election,~~ the
 9 commissioner shall mail an absentee ballot to the applicant
 10 within twenty-four hours, except as otherwise provided in
 11 subsection 3. The absentee ballot shall be sent to the
 12 registered voter by one of the following methods:

13 Sec. ____ Section 53.10, subsection 1, Code 2018, is amended
 14 to read as follows:

15 1. Not more than ~~twenty-nine~~ forty-five days before the
 16 date of the primary election or the general election, the
 17 commissioner shall provide facilities for absentee voting in
 18 person at the commissioner's office. This service shall also
 19 be provided for other elections as soon as the ballots are
 20 ready, but in no case shall absentee ballots be available under
 21 this section more than ~~twenty-nine~~ forty-five days before an
 22 election.>

23 2. Page 5, before line 3 by inserting:

24 <Sec. ____ Section 53.11, subsection 1, paragraph a, Code
 25 2018, is amended to read as follows:

26 a. Not more than ~~twenty-nine~~ forty-five days before the
 27 date of an election, satellite absentee voting stations may be
 28 established throughout the cities and county at the direction

29 of the commissioner and shall be established upon receipt
 30 of a petition signed by not less than one hundred eligible
 31 electors requesting that a satellite absentee voting station
 32 be established at a location to be described on the petition.
 33 However, if a special election is scheduled in the county on a
 34 date that falls between the date of the regular city election
 35 and the date of the city runoff election, the commissioner is

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1 not required to establish a satellite absentee voting station
 2 for the city runoff election.
 3 Sec. _____. Section 53.42, Code 2018, is amended to read as
 4 follows:
 5 **53.42 Voting in person in commissioner's office.**
 6 Notwithstanding the provision as to time found in section
 7 53.10, any qualified voter in the armed forces of the United
 8 States may personally appear in the office of the commissioner
 9 of the county of the voter's residence and there vote an absent
 10 voter's ballot at any time not earlier than ~~forty~~ forty-five
 11 days before the primary or general election, as the case may
 12 be.>
 13 3. By renumbering as necessary.

MASCHER of Johnson

H-8235

1 Amend the amendment, H-8230, to House File 2435 as follows:
 2 1. Page 1, after line 1 by inserting:
 3 <____. Page 1, line 26, after <association,> by inserting
 4 <the Iowa state police association, the soaring hearts
 5 foundation,>>

NUNN of Polk

H-8236

1 Amend the amendment, H-8213, to House File 2430 as follows:
 2 1. Page 1, after line 3 by inserting:
 3 <____. Page 1, line 8, by striking <directly or indirectly
 4 results from> and inserting <is caused solely by>>
 5 2. By renumbering as necessary.

OLSON of Polk

H-8237

1 Amend the amendment, H-8213, to House File 2430 as follows:
 2 1. Page 1, after line 3 by inserting:
 3 <____. Page 1, line 10, after <duties.> by inserting <This
 4 paragraph shall not apply to a person operating a motor vehicle
 5 in an emergency, if a reasonable person in like circumstances

6 would determine that an emergency exists.>>

7 2. By renumbering as necessary.

OLSON of Polk

H-8238

1 Amend the amendment, H-8207, to House File 2434 as follows:

2 1. Page 3, line 23, by striking <or transfer>

3 2. Page 3, by striking lines 27 and 28 and inserting <of the
4 discharge of the patient as soon as practicable.>

DOLECHECK of Ringgold

H-8239

1 Amend the amendment, H-8220, to House File 2462 as follows:

2 1. Page 1, by striking lines 18 through 20 and inserting
3 <organization shall correct such error and shall fully and
4 accurately reprocess the claims affected by the error within
5 ninety days of such>

6 2. Page 2, by striking line 11 and inserting <or treatment
7 for a substance-related disorder pursuant to chapter 125 or
8 for a mental illness pursuant to chapter 229, such services or
9 treatment shall be provided>

HEATON of Henry
FRY of Clarke

H-8240

1 Amend the amendment, H-8202, to Senate File 481, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 28 and inserting:

4 <__. By striking everything after the enacting clause and
5 inserting:

6 <Section 1.IMMIGRATION ENFORCEMENT WORK GROUP AND REPORT.

7 1. An immigration enforcement work group is created to make
8 recommendations regarding the enforcement of immigration laws
9 in this state. Such recommendations shall specifically address
10 the following objectives:

11 a. Ensuring the public safety of all Iowa communities.

12 b. Enforcing immigration laws in this state, consistent
13 with the Constitution of the United States and the Constitution
14 of the state of Iowa and all applicable federal and state laws.

15 c. Identifying opportunities to educate communities in
16 this state in order to balance the goals of complying with
17 immigration laws in this state and ensuring that the rights of
18 all immigrants who reside in this state are respected.

19 2.a. The work group shall consist of the following voting
20 members:

21 (1) The director of the department of public safety, or the
22 director's designee.

- 23 (2) The attorney general, or the attorney general's
 24 designee.
 25 (3) A representative of the Iowa county attorneys
 26 association.
 27 (4) A representative of the Iowa state police association.
 28 (5) A representative of the Iowa police chiefs association.
 29 (6) A representative of the Iowa state sheriffs' and
 30 deputies' association.
 31 (7) The administrator of the division of criminal and
 32 juvenile justice planning of the department of human rights, or
 33 the administrator's designee.
 34 b. The membership of the work group shall also include
 35 four members of the general assembly. The legislative members

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- 1 shall serve as ex officio, nonvoting members of the work group,
 2 with one member to be appointed by each of the following: the
 3 majority leader of the senate, the minority leader of the
 4 senate, the speaker of the house of representatives, and the
 5 minority leader of the house of representatives.
 6 c. The work group shall elect a chairperson from among its
 7 voting members.
 8 3. The work group shall submit its recommendations in a
 9 report to the governor and the general assembly no later than
 10 January 4, 2019.
 11 Sec. 2.EFFECTIVE DATE. This Act, being deemed of immediate
 12 importance, takes effect upon enactment.>
 13 _____. Title page, by striking lines 1 through 3 and inserting
 14 <An Act providing for an immigration enforcement work group and
 15 report and including effective date provisions.>>
 16 2. By renumbering, redesignating, and correcting internal
 17 references as necessary.

BRECKENRIDGE of Jasper

H-8241

- 1 Amend House Joint Resolution 2010 as follows:
 2 1. By striking everything after the resolving clause and
 3 inserting:
 4 <Section 1. The following amendment to the Constitution of
 5 the State of Iowa is proposed:
 6 Article I of the Constitution of the State of Iowa is amended
 7 by adding the following new section:
 8 **Crime victims — rights.** SEC. 26. A victim of a crime
 9 as defined by law shall be entitled to certain basic rights,
 10 including the right to be informed of and to be present at all
 11 public proceedings involving the criminal offense and to be
 12 heard at sentencing or at any other time deemed appropriate by
 13 the court, to the extent that these rights do not interfere
 14 with the constitutional rights of the accused.

15 This section shall not be construed as creating a cause
16 of action for money damages against the state, a county, a
17 municipality, or any agencies, instrumentalities, or employees
18 thereof. The general assembly may provide for other remedies
19 to ensure adequate enforcement of this section.

20 This section shall not be construed to authorize a court
21 to set aside or to void a finding of guilt or innocence or an
22 acceptance of a plea of guilty or to set aside any sentence
23 imposed in any criminal case.

24 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
25 amendment to the Constitution of the State of Iowa is referred
26 to the general assembly to be chosen at the next general
27 election for members of the general assembly, and the secretary
28 of state is directed to cause the proposed amendment to be
29 published for three consecutive months previous to the date of
30 that election as provided by law.>

HINSON of Linn

H-8242

1 Amend House File 2400 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 321.209, subsection 3, Code 2018, is
5 amended to read as follows:

6 3. Failure to stop and render aid as required under the laws
7 of this state or to otherwise comply with section 321.261 in
8 the event of a motor vehicle accident resulting in the death
9 or personal injury of another.

10 Sec. 2. Section 321.261, subsection 1, Code 2018, is amended
11 to read as follows:

12 1.a. The driver of any vehicle who knows or has reason to
13 believe that the driver's vehicle was involved in an accident
14 resulting in injury to or death of any person shall immediately
15 stop the vehicle at the scene of the accident or as close as
16 possible and if able, shall then return to and remain at the
17 scene of the accident in accordance with section 321.263.
18 Every such stop shall be made without obstructing traffic more
19 than is necessary.

20 b. If the driver of a vehicle leaves the scene of an
21 accident resulting in injury to or death of a person without
22 knowledge or reason to believe that the driver's vehicle was
23 involved in the accident, and later discovers that the driver's
24 vehicle may have been involved in an accident that resulted in
25 injury to or the death of a person, the driver shall as soon
26 as reasonably possible make a good-faith effort to immediately
27 make a 911 call and provide the dispatcher with any requested
28 information described in section 321.263 and the location and
29 possible time of the accident.

30 c. As used in this section, "reason to believe" means
31 that the driver is aware of circumstances that would cause

32 a reasonable person in like circumstances to be aware of a
 33 substantial and unjustifiable risk that the driver's vehicle
 34 has been in an accident. The risk must be of such a nature or
 35 degree that failure to be aware of the risk constitutes a gross

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1 deviation from the standard of care that a reasonable person
 2 would observe under the circumstances.

3 Sec. 3. Section 321.555, subsection 1, paragraph f, Code
 4 2018, is amended to read as follows:

5 *f.* Failure to stop and leave information, ~~or~~ to render aid
 6 ~~as required by, or to otherwise comply with~~ sections 321.261
 7 and 321.263.>

8 2. Title page, line 1, by striking <reporting> and inserting
 9 <motor vehicle>

10 3. Title page, line 2, by striking <providing penalties> and
 11 inserting <making penalties applicable>

HINSON of Linn

H-8243

1 Amend Senate File 2329, as passed by the Senate, as follows:

2 1. Page 2, after line 3 by inserting:

3 <4. A health benefit plan sponsored by a nonprofit
 4 agricultural organization for the nonprofit agricultural
 5 organization's members shall not deny, exclude, or limit
 6 benefits for a member based on a member's preexisting
 7 condition.>

M. SMITH of Marshall

H-8244

1 Amend Senate File 2329, as passed by the Senate, as follows:

2 1. Page 2, after line 3 by inserting:

3 <4. A health benefit plan sponsored by a nonprofit
 4 agricultural organization for the nonprofit agricultural
 5 organization's members shall not deny, exclude, or limit
 6 benefits for a member for HPV screenings, mammograms, and pap
 7 smears.>

BENNETT of Linn

H-8245

1 Amend Senate File 2329, as passed by the Senate, as follows:

2 1. Page 2, after line 3 by inserting:

3 <4. A health benefit plan sponsored by a nonprofit
 4 agricultural organization for the nonprofit agricultural
 5 organization's members shall not deny, exclude, or limit
 6 benefits for a member for childhood asthma, autism, dyslexia,

7 attention deficit disorder, respiratory syncytial virus,
8 developmental disabilities, child hearing aids, and juvenile
9 diabetes.>

JACOBY of Johnson

H-8246

1 Amend Senate File 2329, as passed by the Senate, as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for prenatal care, childbirth, cesarean
7 birth and complications, postbirth care, postpartum depression,
8 preeclampsia, gestational diabetes, neonatal intensive care,
9 and fetal alcohol syndrome.>

NIELSEN of Johnson

H-8247

1 Amend Senate File 2329, as passed by the Senate, as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for special health and accident insurance
7 coverages pursuant to chapter 514C.>

HALL of Woodbury

H-8248

1 Amend Senate File 2329, as passed by the Senate, as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for cancer treatment, cancer clinical
7 trials, and cancer screenings.>

OLDSON of Polk

H-8249

1 Amend Senate File 2329, as passed by the Senate, as follows:
2 1. Page 2, after line 3 by inserting:
3 <4. A health benefit plan sponsored by a nonprofit
4 agricultural organization for the nonprofit agricultural
5 organization's members shall not deny, exclude, or limit
6 benefits for a member for mental health, substance abuse, and
7 post-traumatic stress disorder.>

OLDSON of Polk

H-8250

1 Amend Senate File 2329, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and

3 inserting:

4 <Section 1.NEW SECTION. **505.20 Certain organizations**
5 **exempt from regulation.**

6 1. A health benefit plan, sponsored by an eligible
7 organization domiciled in this state that meets the
8 requirements set forth in subsection 2, shall be deemed to
9 not be insurance pursuant to this subtitle and shall not be
10 subject to the jurisdiction of the commissioner of insurance
11 to the extent such health benefit plan, after January 1, 2019,
12 provides health benefits under a self-funded arrangement that
13 is administered by an eligible third-party administrator that
14 meets the requirements set forth in subsection 3.

15 2. An eligible organization providing a health benefit
16 plan to its members under this section shall meet all of the
17 following requirements:

18 a. Provide membership opportunities for eligible
19 individuals.

20 b. Collect annual dues from members.

21 c. Hold regular meetings to further the purposes of the
22 members.

23 d. Provide members with representation on the organization's
24 governing board and committees.

25 e. Provide education, mentoring, or financial assistance.

26 f. Contract with an eligible third-party administrator that
27 meets the requirements set forth in subsection 3 to administer
28 the health benefit plan. The contract with the eligible
29 third-party administrator shall provide that the eligible
30 third-party administrator shall not be responsible for paying
31 any claims under the health benefit plan that are not funded
32 by the eligible organization.

33 3. An eligible third-party administrator administering a
34 self-funded arrangement under this section shall meet all of
35 the following requirements:

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1 a. Register as a third-party administrator pursuant to
2 chapter 510.

3 b. Offer individual health insurance products either
4 directly or through an affiliate organization.

5 4. Prior to providing a health benefit plan to its
6 members under this section an eligible organization shall
7 file a certification with the commissioner that the eligible
8 organization meets all requirements of this section.

9 5. The commissioner shall ensure expedited processing of

10 a third-party administrator registration pursuant to chapter
 11 510 for a third-party administrator administering a self-funded
 12 arrangement under this section.>
 13 2. Title page, line 2, by striking <agricultural>

VANDER LINDEN of Mahaska
 PETTENGILL of Benton

H-8251

1 Amend House File 2469 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1.**NEW SECTION. 68A.405A Self-promotion with**
 5 **taxpayer funds prohibited.**
 6 1.a. Except as provided in sections 29C.3 and 29C.6, a
 7 statewide elected official or member of the general assembly
 8 shall not permit the expenditure of public moneys under the
 9 control of the statewide elected official or member of the
 10 general assembly, including but not limited to moneys held in a
 11 private trust fund as defined by section 8.2, for the purpose
 12 of any paid advertisement or promotion bearing the written
 13 name, likeness, or voice of the statewide elected official or
 14 member of the general assembly distributed through any of the
 15 following means:
 16 (1) A paid direct mass mailing.
 17 (2) A paid radio advertisement or promotion.
 18 (3) A paid newspaper advertisement or promotion.
 19 (4) A paid television advertisement or promotion.
 20 (5) A paid internet advertisement or promotion.
 21 (6) A paid exhibit display at the Iowa state fair or a
 22 fairground or grounds as defined in section 174.1.
 23 b. Except as otherwise provided by law, paragraph "a"
 24 shall not apply to bona fide ministerial or ceremonial records
 25 or ordinary, common, and frequent constituent correspondence
 26 containing the name of the statewide elected official or member
 27 of the general assembly.
 28 2. A person who willfully violates this section shall be
 29 subject to a civil penalty of an amount up to the amount of
 30 moneys withdrawn from a public account or private trust fund
 31 as defined in section 8.2 used to fund the communication found
 32 to be in violation of this section by the board or, for members
 33 of the general assembly, by an appropriate legislative ethics
 34 committee. A penalty imposed pursuant to this section shall
 35 be paid by the candidate's committee. Such penalty shall be

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1 determined and assessed by the board or, for a member of the
 2 general assembly, the appropriate legislative ethics committee,
 3 and paid into the account from which such moneys were
 4 withdrawn. Additional criminal or civil penalties available

5 under section 68A.701 or established by the board pursuant to
 6 section 68B.32A may also be determined and assessed by the
 7 board for violations of this section. Nothing in this section
 8 shall prevent the imposition of any penalty or sanction for a
 9 violation of this section by a legislative ethics committee.>
 10 2. Title page, by striking lines 1 through 4 and inserting
 11 <An Act prohibiting self-promotion with taxpayer funds by
 12 statewide elected officials and members of the general assembly
 13 and imposing penalties.>

SEXTON of Calhoun

H-8252

1 Amend House File 2469 as follows:
 2 1. Page 1, by striking line 2 and inserting **<and sexual**
 3 **harassment prohibited.>**
 4 2. Page 3, after line 25 by inserting:
 5 <5. Any judgment awarded to a victim as a result of sexual
 6 harassment by a statewide elected official, member of the
 7 general assembly, or local official, or the partisan staff
 8 of such a person, shall be paid by such a person's candidate
 9 committee or the candidate committee of the party of the
 10 partisan staff.>
 11 3. Title page, by striking line 4 and inserting
 12 <advertisement and judgments for sexual harassment and imposing
 13 penalties.>

STECKMAN of Cerro Gordo

H-8253

1 Amend House File 2458 as follows:
 2 1. Page 2, line 18, after <board> by inserting <or a
 3 community college>
 4 2. Page 5, line 5, by striking <261.130 and 261.131> and
 5 inserting <261.131 and 261.132>
 6 3. Page 5, line 30, by striking <261.130 or 261.131> and
 7 inserting <261.131 or 261.132>
 8 4. Page 5, line 32, by striking <261.130> and inserting
 9 <261.131>
 10 5. Page 5, line 34, by striking <261.131> and inserting
 11 <261.132>
 12 6. Page 6, line 21, by striking <261.130> and inserting
 13 <261.131>
 14 7. Page 6, line 23, by striking <261.131> and inserting
 15 <261.132>
 16 8. Page 6, line 24, after <7A.> by inserting <In addition
 17 to the list created by the workforce development board under
 18 this subsection, each community college, in consultation with
 19 regional career and technical education planning partnerships,
 20 and with the approval of the board of directors of the

- 21 community college, may identify and maintain a list of not
 22 more than five regional high-demand jobs in the community
 23 college region, and shall share the lists with the workforce
 24 development board. The lists submitted by community colleges
 25 under the subsection may be used for purposes of programs
 26 identified under this subsection.>
 27 9. Page 6, line 26, after <prioritize> by inserting
 28 <statewide>
 29 10. Page 6, line 30, before <determines> by inserting <, or
 30 a community college in accordance with this subsection,>
 31 11. Page 6, line 35, by striking <261.130> and inserting
 32 <261.131>
 33 12. Page 7, line 1, by striking <261.131> and inserting
 34 <261.132>
 35 13. Page 7, line 4, by striking <261.130 and 261.131> and

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- 1 inserting <261.131 and 261.132>
 2 14. Page 7, line 6, by striking <261.130 and 261.131> and
 3 inserting <261.131 and 261.132>
 4 15. Page 8, line 27, after <board> by inserting <or a
 5 community college>
 6 16. Page 9, line 21, by striking <261.130 and 261.131> and
 7 inserting <261.131 and 261.132>
 8 17. Page 9, line 24, by striking <261.130 or 261.131> and
 9 inserting <261.131 or 261.132>
 10 18. Page 9, after line 33 by inserting:
 11 <f. Whether the proposal addresses areas of workforce need
 12 throughout the region.>
 13 19. Page 10, by striking lines 13 and 14.
 14 20. Page 10, line 15, by striking <261.130> and inserting:
 15 <Sec. NEW SECTION. **261.131**>
 16 21. Page 12, line 2, after <board> by inserting <or
 17 community college>
 18 22. Page 12, line 3, by striking <department removes a
 19 high-demand job from the list> and inserting <board or a
 20 community college removes a high-demand job from a list>
 21 23. Page 16, line 4, by striking <261.131> and inserting
 22 <261.132>
 23 24. Page 17, line 24, after <board> by inserting <or
 24 community college>
 25 25. Page 17, line 25, by striking <department removes
 26 a high-demand job from the list> and inserting <board or a
 27 community college removes a high-demand job from a list>
 28 26. Page 21, line 7, by striking <created in section 84A.1B>
 29 and inserting <or a community college pursuant to section
 30 84A.1B, subsection 13A>
 31 27. By renumbering, redesignating, and correcting internal
 32 references as necessary.

H-8254

- 1 Amend House File 2394 as follows:
 2 1. By striking page 1, line 6, through page 3, line 6, and
 3 inserting:
 4 <a. Information or communication systems.
 5 b. Financial or banking systems.
 6 c. Property of a supplier of gas, electric, steam, water,
 7 sanitation, communication services to the public, any public
 8 utility service, including the power energy and water supply
 9 systems, or sewage and water treatment systems.
 10 d. Public or private health care facilities and systems, and
 11 emergency, fire, medical, or law enforcement response systems.
 12 e. Any other government operations or services.>

OLSON of Polk

H-8255

- 1 Amend House File 2394 as follows:
 2 1. Page 3, lines 7 and 8, by striking <relating to critical
 3 infrastructure property> and inserting <relating to critical
 4 infrastructure property that results in property damage to
 5 critical infrastructure property of at least one hundred
 6 thousand dollars>

OLSON of Polk

H-8256

- 1 Amend House File 2394 as follows:
 2 1. Page 3, line 12, after <duties.> by inserting <The term
 3 “*substantial interruption or impairment of service rendered to*
 4 *the public*”, as used in this definition, shall not be construed
 5 to prohibit picketing, public demonstrations, and similar forms
 6 of expressing ideas or views regarding legitimate matters
 7 of public interest protected by the United States and Iowa
 8 Constitutions.>

OLSON of Polk

H-8257

- 1 Amend Senate File 220, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <Section 1. Section 321.1, Code 2018, is amended by adding
 6 the following new subsection:
 7 NEW SUBSECTION. 06B. “*Automated traffic law enforcement*
 8 *system*” means a device used for the enforcement of laws
 9 regulating vehicular traffic and equipped with one or more

10 sensors working in conjunction with one of the following:
11 a. An official traffic-control signal, to produce recorded
12 images of motor vehicles entering an intersection against a red
13 signal light.
14 b. A speed measuring device, to produce recorded images of
15 motor vehicles traveling at a prohibited rate of speed.
16 c. A railroad grade crossing signal light, as described in
17 section 321.342, to produce recorded images of motor vehicles
18 violating the signal light.
19 d. Any official traffic-control device, if failure to comply
20 with the official traffic-control device constitutes a moving
21 violation under this chapter.
22 Sec. 2. **NEW SECTION. 321.492C Automated traffic law**
23 **enforcement systems.**
24 1. The department shall not place, operate, maintain,
25 or employ the use of any automated traffic law enforcement
26 system. The department shall not cause to be placed any
27 automated traffic law enforcement system except as provided in
28 this section or in rules adopted by the department under this
29 section.
30 2.a. A local authority, or another entity on a local
31 authority's behalf, shall not operate an automated traffic law
32 enforcement system without approving the use of the system
33 following an established self-certification process. The
34 self-certification process shall include a justification report
35 meeting the requirements of paragraph "b", which shall be

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1 made readily available for the public to review, and a public
2 hearing at which the local authority shall provide evidence
3 of a demonstrated safety need for the automated traffic law
4 enforcement system. Notice of the date, time, and place of
5 the hearing shall be published in the manner described in
6 section 362.3. A public hearing may address several locations
7 at which a local authority intends to place an automated
8 traffic law enforcement system. However, a local authority
9 shall adopt an ordinance approving the use of an automated
10 traffic law enforcement system for each location at which the
11 local authority operates a fixed or mobile automated traffic
12 law enforcement system. A local authority may approve the
13 operation of an automated traffic law enforcement system
14 only if the system is located in a documented high-crash or
15 high-risk location at which there is a demonstrated safety
16 need for the system. The local authority shall demonstrate
17 the safety need for the system based on the volume of traffic,
18 the history of motor vehicle accidents, the frequency and type
19 of traffic violations, the risk to peace officers employing
20 traditional traffic enforcement methods, any additional
21 information required in the justification report, and any other
22 safety criteria deemed appropriate by the local authority.
23 These requirements shall apply for each location at which a

24 local authority, or another entity on a local authority's
25 behalf, operates a fixed or mobile automated traffic law
26 enforcement system. However, any area located within a road
27 work zone or school district, as those terms are defined in
28 section 321.1, shall be presumed to be a high-risk location at
29 which there is a demonstrated safety need for a system.
30 b. A justification report shall provide all necessary
31 information and documentation to demonstrate whether an area is
32 a high-crash or high-risk location and shall include but not be
33 limited to documentation regarding all the following:
34 (1) Existing traffic speeds, posted speed limits,
35 traffic volumes, and intersection or roadway geometry. Such

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1 documentation shall provide assurance that existing speed
2 limits and official traffic-control signal timings are
3 appropriate and shall describe how the limits and timings were
4 established.
5 (2) The applicable motor vehicle accident history, the
6 primary accident types, accident causes, accident severity, and
7 the history of any related traffic violations. Only accidents
8 attributable to violating the speed limit or an official
9 traffic-control signal shall be included in this report. Such
10 documentation shall compare accident data with data from other
11 similar locations within the local authority's jurisdiction,
12 other similar jurisdictions, and larger metropolitan areas.
13 (3) The identification of critical traffic safety issues
14 related to the data required by subparagraphs (1) and (2),
15 including a comprehensive list of solutions that may address
16 the critical traffic safety issues.
17 (4) Solutions or safety countermeasures that the local
18 authority has implemented along with those that the local
19 authority has considered but not implemented. These may
20 include solutions relating to law enforcement, engineering,
21 public education campaigns, or other safety countermeasures.
22 (5) Discussions held and actions taken by the local
23 authority with any partnering entities that have resources
24 which could aid in the reduction of accidents attributable
25 to violating the speed limit or an official traffic-control
26 signal.
27 (6) The reason or reasons the local authority believes an
28 automated traffic law enforcement system is the best solution
29 to address the critical traffic safety issues.
30 c. A local authority, or another entity on a local
31 authority's behalf, shall not operate an automated traffic law
32 enforcement system without posting signage meeting all of the
33 following requirements:
34 (1) For a fixed automated traffic law enforcement system,
35 permanent signs advising drivers that the system is in place

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1 shall be posted in clear and present view of passing drivers in
2 advance of the location where the system is in use.

3 (2) For a mobile automated traffic law enforcement system,
4 temporary or permanent signs advising drivers that the system
5 is in place shall be posted in clear and present view of
6 passing drivers in advance of the location where the system is
7 in use.

8 (3) The signage conforms to the manual on uniform
9 traffic-control devices as adopted by the department.

10 *d.* A local authority, or another entity on a local
11 authority's behalf, shall not issue a citation resulting from
12 the use of an automated traffic law enforcement system until
13 an active peace officer of the local authority has reviewed
14 the citation and any relevant recorded images produced by the
15 system.

16 *e.* The amount of the fine or civil penalty imposed by a
17 citation resulting from the use of an automated traffic law
18 enforcement system shall not exceed the amount of the fine for
19 a scheduled violation under section 805.8A for the same or a
20 similar violation of this chapter.

21 *f.* An automated traffic law enforcement system working
22 in conjunction with a speed measuring device or official
23 traffic-control signal shall comply with the generally accepted
24 procedures for operating the system. An automated traffic law
25 enforcement system shall verify its internal calibrations on a
26 daily basis. If the daily internal calibration is not valid,
27 the system shall not operate until a successful calibration
28 is subsequently conducted. In addition to the daily internal
29 calibration, a monthly calibration shall be conducted by a
30 person trained in the calibration of the system. A person
31 trained in the calibration of a mobile automated traffic law
32 enforcement system shall also conduct a calibration prior to
33 the use of the mobile system after any change in location.
34 A local authority, or another entity on a local authority's
35 behalf, operating an automated traffic law enforcement

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1 system shall maintain a monthly log detailing whether the
2 local authority or entity successfully performed the daily
3 and monthly calibrations. The log and documentation of the
4 calibrations shall be admissible in any court proceeding
5 relating to an official traffic-control signal violation
6 pursuant to section 321.257 or a speed limit violation pursuant
7 to section 321.285.

8 *g.* A local authority shall maintain or compile records
9 relating to the number of traffic violations and number
10 of traffic accidents for all locations at which the local
11 authority, or another entity on a local authority's behalf,
12 operates or intends to operate an automated traffic law

13 enforcement system. Such records shall be maintained or
14 compiled by the local authority for one year prior to the
15 installation of the automated traffic law enforcement system
16 and for each year the automated traffic law enforcement
17 system is in operation. Such records shall be available for
18 examination to the same extent allowed in section 22.2. A
19 local authority with an automated traffic law enforcement
20 system operating within its jurisdiction shall file an annual
21 report with the general assembly on or before December 31 of
22 each year detailing the effectiveness of each automated traffic
23 law enforcement system operating within its jurisdiction. An
24 annual report shall include the justification report described
25 in paragraph "b" and shall also include but not be limited to
26 information relating to increases or decreases in the number of
27 speed limit violations, violations of official traffic-control
28 signals, and traffic accidents.

29 *h.* Prior to a local authority placing an automated traffic
30 law enforcement system on a primary road, the local authority
31 shall obtain approval from the department in accordance
32 with rules adopted by the department. A local authority
33 shall submit to the department any information requested by
34 the department during the approval process. If the local
35 authority's use of the system is approved by the department,

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1 the local authority shall follow the requirements set forth
2 in rules adopted by the department. The department may
3 modify its rules relating to automated traffic law enforcement
4 systems to the extent necessary to ensure automated traffic
5 law enforcement systems are operated in a safe and equitable
6 manner. This paragraph "h" shall not apply to an automated
7 traffic law enforcement system approved or allowed to operate
8 in accordance with rules adopted by the department and in
9 operation prior to January 1, 2017. A local authority may
10 continue to operate such a system in the same manner as the
11 system was operated prior to January 1, 2017. However, after a
12 local authority discontinues operation of such a system, any
13 new manner of operation or new system operated by the local
14 authority shall comply with this paragraph "h". The department
15 shall have the authority to annually review all automated
16 traffic law enforcement systems placed on primary roads and
17 shall have the authority to require removal or modification of
18 such systems.

19 *i.* A local authority shall designate a process by which
20 a person may appeal a citation issued through the use of an
21 automated traffic law enforcement system, which at a minimum
22 shall provide for all of the following:

23 (1) An appeal to an impartial body created by the local
24 authority to review citations issued through the use of
25 automated traffic law enforcement systems.

26 (2) Following a decision from the impartial body that is

27 adverse to the person, an appeal to the district court, sitting
28 in small claims, of the county in which the local authority is
29 located.
30 *j.*(1) A local authority shall authorize a petition process
31 by which citizens within the local authority may petition for
32 the removal of a fixed automated traffic law enforcement system
33 or the disapproval of a location approved for the use of mobile
34 automated traffic law enforcement systems in accordance with
35 this section. Petitions under this paragraph “*j*” shall be

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1 specific to one fixed system or one location approved for the
2 use of mobile systems.
3 (2) If the local authority is a city, a petition brought
4 under this paragraph “*j*” is valid if it is signed by a number
5 of eligible electors of the city equal to or greater than ten
6 percent of the number of persons who voted in the last regular
7 city election. The petition shall include the signatures of
8 the petitioners, the places of residence of the petitioners,
9 and the date on which the petitioners signed the petition.
10 (3) If the local authority is a county, a petition brought
11 under this paragraph “*j*” is valid if it is signed by a number
12 of eligible electors of the county equal to or greater than
13 ten percent of the number of votes cast in the county in the
14 last presidential election. The petition shall include the
15 signatures of the petitioners, the places of residence of the
16 petitioners, and the date on which the petitioners signed the
17 petition.
18 (4) If a petition is valid as provided in this paragraph
19 “*j*”, the city council or county board of supervisors, as
20 applicable, shall vote on whether to repeal the ordinance
21 allowing the operation of the fixed system or approving the
22 location for the use of mobile systems.
23 (5) If a city council or county board of supervisors has
24 voted pursuant to subparagraph (4), a new petition for the same
25 fixed system or the same location approved for use of mobile
26 systems shall not be valid for three years after the date of
27 the vote.
28 *k.* A local authority that operates an automated traffic
29 law enforcement system in violation of this section shall be
30 precluded from operating any automated traffic law enforcement
31 system for a period of two years. A citizen residing within
32 the jurisdiction of a local authority which violates this
33 section shall be allowed to file suit to enjoin the local
34 authority from operating an automated traffic law enforcement
35 system in accordance with this paragraph “*k*”.

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1 3. All moneys collected by a local authority from citations
2 issued as a result of the use of an automated traffic law

3 enforcement system, less the amount necessary for the
 4 installation, operation, and maintenance of the automated
 5 traffic law enforcement system, shall be deposited in the
 6 account or accounts maintained by the local authority for
 7 moneys appropriated to the local authority from the secondary
 8 road fund or street construction fund of the cities, or shall
 9 be deposited in any account and used for the purposes of public
 10 safety. This subsection shall not apply to moneys collected
 11 for court costs or other associated costs, the criminal penalty
 12 surcharge required by section 911.1, or the county enforcement
 13 surcharge required by section 911.4, as applicable.>
 14 2. Title page, line 2, by striking <and providing a penalty>
 15 and inserting <including systems in road work zones and school
 16 districts, and providing penalties>

HINSON of Linn

H-8258

1 Amend the amendment, H-1267, to Senate File 220, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 2, and
 4 inserting:
 5 <Amend Senate File 220, as amended, passed, and reprinted by
 6 the Senate, as follows:
 7 1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 321.1, Code 2018, is amended by adding
 10 the following new subsection:
 11 NEW SUBSECTION. 06B. *“Automated traffic law enforcement*
 12 *system”* means a device used for the enforcement of laws
 13 regulating vehicular traffic and equipped with one or more
 14 sensors working in conjunction with one of the following:
 15 a. An official traffic-control signal, to produce recorded
 16 images of motor vehicles entering an intersection against a red
 17 signal light.
 18 b. A speed measuring device, to produce recorded images of
 19 motor vehicles traveling at a prohibited rate of speed.
 20 c. A railroad grade crossing signal light, as described in
 21 section 321.342, to produce recorded images of motor vehicles
 22 violating the signal light.
 23 d. Any official traffic-control device, if failure to comply
 24 with the official traffic-control device constitutes a moving
 25 violation under this chapter.
 26 Sec. 2.NEW SECTION. **321.492C Automated traffic law**
 27 **enforcement systems.**
 28 1. The department shall not place, operate, maintain,
 29 or employ the use of any automated traffic law enforcement
 30 system. The department shall not cause to be placed any
 31 automated traffic law enforcement system except as provided in
 32 this section or in rules adopted by the department under this
 33 section.

34 2.a. A local authority, or another entity on a local
35 authority's behalf, shall not operate an automated traffic law

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1 enforcement system without approving the use of the system
2 following an established self-certification process. The
3 self-certification process shall include a justification report
4 meeting the requirements of paragraph "b", which shall be
5 made readily available for the public to review, and a public
6 hearing at which the local authority shall provide evidence
7 of a demonstrated safety need for the automated traffic law
8 enforcement system. Notice of the date, time, and place of
9 the hearing shall be published in the manner described in
10 section 362.3. A public hearing may address several locations
11 at which a local authority intends to place an automated
12 traffic law enforcement system. However, a local authority
13 shall adopt an ordinance approving the use of an automated
14 traffic law enforcement system for each location at which the
15 local authority operates a fixed or mobile automated traffic
16 law enforcement system. A local authority may approve the
17 operation of an automated traffic law enforcement system
18 only if the system is located in a documented high-crash or
19 high-risk location at which there is a demonstrated safety
20 need for the system. The local authority shall demonstrate
21 the safety need for the system based on the volume of traffic,
22 the history of motor vehicle accidents, the frequency and type
23 of traffic violations, the risk to peace officers employing
24 traditional traffic enforcement methods, any additional
25 information required in the justification report, and any other
26 safety criteria deemed appropriate by the local authority.
27 These requirements shall apply for each location at which a
28 local authority, or another entity on a local authority's
29 behalf, operates a fixed or mobile automated traffic law
30 enforcement system. However, any area located within a road
31 work zone or school district, as those terms are defined in
32 section 321.1, shall be presumed to be a high-risk location at
33 which there is a demonstrated safety need for a system.
34 b. A justification report shall provide all necessary
35 information and documentation to demonstrate whether an area is

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1 a high-crash or high-risk location and shall include but not be
2 limited to documentation regarding all the following:
3 (1) Existing traffic speeds, posted speed limits,
4 traffic volumes, and intersection or roadway geometry. Such
5 documentation shall provide assurance that existing speed
6 limits and official traffic-control signal timings are
7 appropriate and shall describe how the limits and timings were
8 established.
9 (2) The applicable motor vehicle accident history, the

10 primary accident types, accident causes, accident severity, and
 11 the history of any related traffic violations. Only accidents
 12 attributable to violating the speed limit or an official
 13 traffic-control signal shall be included in this report. Such
 14 documentation shall compare accident data with data from other
 15 similar locations within the local authority's jurisdiction,
 16 other similar jurisdictions, and larger metropolitan areas.

17 (3) The identification of critical traffic safety issues
 18 related to the data required by subparagraphs (1) and (2),
 19 including a comprehensive list of solutions that may address
 20 the critical traffic safety issues.

21 (4) Solutions or safety countermeasures that the local
 22 authority has implemented along with those that the local
 23 authority has considered but not implemented. These may
 24 include solutions relating to law enforcement, engineering,
 25 public education campaigns, or other safety countermeasures.

26 (5) Discussions held and actions taken by the local
 27 authority with any partnering entities that have resources
 28 which could aid in the reduction of accidents attributable
 29 to violating the speed limit or an official traffic-control
 30 signal.

31 (6) The reason or reasons the local authority believes an
 32 automated traffic law enforcement system is the best solution
 33 to address the critical traffic safety issues.

34 c. A local authority, or another entity on a local
 35 authority's behalf, shall not operate an automated traffic law

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1 enforcement system without posting signage meeting all of the
 2 following requirements:

3 (1) For a fixed automated traffic law enforcement system,
 4 permanent signs advising drivers that the system is in place
 5 shall be posted in clear and present view of passing drivers in
 6 advance of the location where the system is in use.

7 (2) For a mobile automated traffic law enforcement system,
 8 temporary or permanent signs advising drivers that the system
 9 is in place shall be posted in clear and present view of
 10 passing drivers in advance of the location where the system is
 11 in use.

12 (3) The signage conforms to the manual on uniform
 13 traffic-control devices as adopted by the department.

14 d. A local authority, or another entity on a local
 15 authority's behalf, shall not issue a citation resulting from
 16 the use of an automated traffic law enforcement system until
 17 an active peace officer of the local authority has reviewed
 18 the citation and any relevant recorded images produced by the
 19 system.

20 e. The amount of the fine or civil penalty imposed by a
 21 citation resulting from the use of an automated traffic law
 22 enforcement system shall not exceed the amount of the fine for
 23 a scheduled violation under section 805.8A for the same or a

24 similar violation of this chapter.

25 *f.* An automated traffic law enforcement system working
26 in conjunction with a speed measuring device or official
27 traffic-control signal shall comply with the generally accepted
28 procedures for operating the system. An automated traffic law
29 enforcement system shall verify its internal calibrations on a
30 daily basis. If the daily internal calibration is not valid,
31 the system shall not operate until a successful calibration
32 is subsequently conducted. In addition to the daily internal
33 calibration, a monthly calibration shall be conducted by a
34 person trained in the calibration of the system. A person
35 trained in the calibration of a mobile automated traffic law

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1 enforcement system shall also conduct a calibration prior to
2 the use of the mobile system after any change in location.
3 A local authority, or another entity on a local authority's
4 behalf, operating an automated traffic law enforcement
5 system shall maintain a monthly log detailing whether the
6 local authority or entity successfully performed the daily
7 and monthly calibrations. The log and documentation of the
8 calibrations shall be admissible in any court proceeding
9 relating to an official traffic-control signal violation
10 pursuant to section 321.257 or a speed limit violation pursuant
11 to section 321.285.

12 *g.* A local authority shall maintain or compile records
13 relating to the number of traffic violations and number
14 of traffic accidents for all locations at which the local
15 authority, or another entity on a local authority's behalf,
16 operates or intends to operate an automated traffic law
17 enforcement system. Such records shall be maintained or
18 compiled by the local authority for one year prior to the
19 installation of the automated traffic law enforcement system
20 and for each year the automated traffic law enforcement
21 system is in operation. Such records shall be available for
22 examination to the same extent allowed in section 22.2. A
23 local authority with an automated traffic law enforcement
24 system operating within its jurisdiction shall file an annual
25 report with the general assembly on or before December 31 of
26 each year detailing the effectiveness of each automated traffic
27 law enforcement system operating within its jurisdiction. An
28 annual report shall include the justification report described
29 in paragraph "b" and shall also include but not be limited to
30 information relating to increases or decreases in the number of
31 speed limit violations, violations of official traffic-control
32 signals, and traffic accidents.

33 *h.* Prior to a local authority placing an automated traffic
34 law enforcement system on a primary road, the local authority
35 shall obtain approval from the department in accordance

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1 with rules adopted by the department. A local authority
2 shall submit to the department any information requested by
3 the department during the approval process. If the local
4 authority's use of the system is approved by the department,
5 the local authority shall follow the requirements set forth
6 in rules adopted by the department. The department may
7 modify its rules relating to automated traffic law enforcement
8 systems to the extent necessary to ensure automated traffic
9 law enforcement systems are operated in a safe and equitable
10 manner. This paragraph "h" shall not apply to an automated
11 traffic law enforcement system approved or allowed to operate
12 in accordance with rules adopted by the department and in
13 operation prior to January 1, 2017. A local authority may
14 continue to operate such a system in the same manner as the
15 system was operated prior to January 1, 2017. However, after a
16 local authority discontinues operation of such a system, any
17 new manner of operation or new system operated by the local
18 authority shall comply with this paragraph "h". The department
19 shall have the authority to annually review all automated
20 traffic law enforcement systems placed on primary roads and
21 shall have the authority to require removal or modification of
22 such systems.

23 *i.* A local authority shall designate a process by which
24 a person may appeal a citation issued through the use of an
25 automated traffic law enforcement system, which at a minimum
26 shall provide for all of the following:

27 (1) An appeal to an impartial body created by the local
28 authority to review citations issued through the use of
29 automated traffic law enforcement systems.

30 (2) Following a decision from the impartial body that is
31 adverse to the person, an appeal to the district court, sitting
32 in small claims, of the county in which the local authority is
33 located.

34 *j.*(1) A local authority shall authorize a petition process
35 by which citizens within the local authority may petition for

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1 the removal of a fixed automated traffic law enforcement system
2 or the disapproval of a location approved for the use of mobile
3 automated traffic law enforcement systems in accordance with
4 this section. Petitions under this paragraph "j" shall be
5 specific to one fixed system or one location approved for the
6 use of mobile systems.

7 (2) If the local authority is a city, a petition brought
8 under this paragraph "j" is valid if it is signed by a number
9 of eligible electors of the city equal to or greater than ten
10 percent of the number of persons who voted in the last regular
11 city election. The petition shall include the signatures of
12 the petitioners, the places of residence of the petitioners,

13 and the date on which the petitioners signed the petition.

14 (3) If the local authority is a county, a petition brought
 15 under this paragraph “j” is valid if it is signed by a number
 16 of eligible electors of the county equal to or greater than
 17 ten percent of the number of votes cast in the county in the
 18 last presidential election. The petition shall include the
 19 signatures of the petitioners, the places of residence of the
 20 petitioners, and the date on which the petitioners signed the
 21 petition.

22 (4) If a petition is valid as provided in this paragraph
 23 “j”, the city council or county board of supervisors, as
 24 applicable, shall vote on whether to repeal the ordinance
 25 allowing the operation of the fixed system or approving the
 26 location for the use of mobile systems.

27 (5) If a city council or county board of supervisors has
 28 voted pursuant to subparagraph (4), a new petition for the same
 29 fixed system or the same location approved for use of mobile
 30 systems shall not be valid for three years after the date of
 31 the vote.

32 k. A local authority that operates an automated traffic
 33 law enforcement system in violation of this section shall be
 34 precluded from operating any automated traffic law enforcement
 35 system for a period of two years. A citizen residing within

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1 the jurisdiction of a local authority which violates this
 2 section shall be allowed to file suit to enjoin the local
 3 authority from operating an automated traffic law enforcement
 4 system in accordance with this paragraph “k”.

5 3. All moneys collected by a local authority from citations
 6 issued as a result of the use of an automated traffic law
 7 enforcement system, less the amount necessary for the
 8 installation, operation, and maintenance of the automated
 9 traffic law enforcement system, shall be deposited in the
 10 account or accounts maintained by the local authority for
 11 moneys appropriated to the local authority from the secondary
 12 road fund or street construction fund of the cities, or shall
 13 be deposited in any account and used for the purposes of public
 14 safety. This subsection shall not apply to moneys collected
 15 for court costs or other associated costs, the criminal penalty
 16 surcharge required by section 911.1, or the county enforcement
 17 surcharge required by section 911.4, as applicable.>>

18 2. By renumbering as necessary.

HINSON of Linn

H-8259

1 Amend the amendment, H-8253, to House File 2458 as follows:
 2 1. Page 1, after line 3 by inserting:
 3 <___. Page 3, line 29, after <Iowa> by inserting <, and the

- 4 remainder of the applicant's apprentices shall be residents of
 5 states contiguous to Iowa>>
 6 2. Page 1, line 25, after <used> by inserting <in that
 7 community college region>
 8 3. Page 2, by striking lines 23 through 27 and inserting:
 9 <__. Page 19, by striking line 27 and inserting <up to the
 10 full amount of grant payments made during that semester, or the
 11 equivalent, shall>
 12 ____. Page 20, by striking lines 11 and 12 and inserting
 13 <awarding eligible students approved for grants based on the
 14 date of application, rather than prorating grant awards among
 15 all eligible students.>>
 16 4. By renumbering as necessary.

BEST of Carroll

H-8260

- 1 Amend House File 2378 as follows:
 2 1. Page 1, by striking lines 5 and 6 and inserting <States;
 3 and any political subdivision of another state. For purposes
 4 of this chapter only, "public agency" also includes any
 5 federally recognized Indian tribe.>
 6 2. Title page, line 1, after <to> by inserting <the>
 7 3. Title page, line 1, by striking <for> and inserting <by>

BACON of Story

H-8261

- 1 Amend the amendment, H-8251, to House File 2469 as follows:
 2 1. Page 1, line 5, after <**prohibited**> by inserting <**and**
 3 **payment of sexual harassment judgments**>
 4 2. Page 1, before line 28 by inserting:
 5 <2. Any judgment awarded to a victim as a result of sexual
 6 harassment by a statewide elected official or member of the
 7 general assembly, or the partisan staff of such a person, shall
 8 be paid by the state of Iowa. The state of Iowa shall seek
 9 reimbursement by such a person's candidate committee or the
 10 candidate committee of the party of the partisan staff for any
 11 such judgment paid. The state of Iowa shall seek reimbursement
 12 by the relevant candidate committee for any such judgment paid
 13 prior to the effective date of this Act.>
 14 3. Page 1, by striking line 28 and inserting:
 15 < 3. A person who willfully violates this section shall be>
 16 4. Page 1, by striking line 31 and inserting <as defined in
 17 section 8.2 used to fund the activity found>
 18 5. Page 2, before line 10 by inserting:
 19 <Sec. __.RETROACTIVE APPLICABILITY. This Act applies
 20 retroactively to all judgments awarded to a victim as a result
 21 of sexual harassment by a statewide elected official or member
 22 of the general assembly, or the partisan staff of such a

23 person.>>

24 6. Page 2, by striking lines 11 through 13 and inserting <An
25 Act prohibiting self-promotion with taxpayer funds by statewide
26 elected officials and members of the general assembly,
27 requiring payment of certain sexual harassment judgments by
28 candidate committees, including retroactive applicability
29 provisions, and imposing penalties.>>

30 7. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8262

1 Amend House File 2235, as passed by the House, as follows:

2 1. Page 1, by striking line 2 and inserting <subparagraphs
3 (1) and (2), Code 2018, are amended to read as follows:>

4 2. Page 1, line 4, after <statewide> by inserting
5 <summative>

6 3. Page 1, line 9, before <assessment> by inserting
7 <summative>

8 4. Page 1, after line 12 by inserting:

9 <(2) The For the school year beginning July 1, 2018, and
10 each succeeding school year, the rules shall also require that
11 all of the following:

12 (a) That all students enrolled in school districts in
13 grades three through eleven be administered an assessment in
14 mathematics and English language arts, including reading and
15 writing, during the last quarter of the school year and all
16 students enrolled in school districts in grades five, eight,
17 and ten be administered an assessment in science during the
18 last quarter of the school year.

19 (b) That the assessment, at a minimum, assess the core
20 academic indicators identified in this paragraph "b"; be
21 aligned with the Iowa common core standards in both content
22 and rigor; accurately describe student achievement and
23 growth for purposes of the school, the school district, and
24 state accountability systems; provide valid, reliable, and
25 fair measures of student progress toward college or career
26 readiness; and meet the summative assessment requirements of
27 the federal Every Student Succeeds Act, Pub. L. No. 114-95.

28 (c) That the assessment be available for administration in
29 both paper-and-pencil and computer-based formats and include
30 assessments in mathematics, science, and English language arts,
31 including reading and writing.

32 (d) That the assessment be peer-reviewed by an independent,
33 third-party evaluator to determine that the assessment is
34 aligned with the Iowa core academic standards, provides a
35 measurement of student growth and student proficiency, and

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1 meets the summative assessment requirements of the federal

2 Every Student Succeeds Act, Pub. L. No. 114-95. The assessment
 3 developed by the Iowa testing service within the university of
 4 Iowa college of education shall make any necessary adjustments
 5 as determined by the peer review to meet the requirements of
 6 this subparagraph (2).>

SENATE AMENDMENT

H-8263

1 Amend House File 2284, as amended, passed, and reprinted by
 2 the House, as follows:

3 1. Page 1, before line 1 by inserting:
 4 <Section 1. Section 614.1, subsection 12, Code 2018, is
 5 amended to read as follows:

6 12. *Sexual abuse or sexual exploitation by a counselor,*
 7 *therapist, or school employee.* An action for damages for
 8 injury suffered as a result of sexual abuse, as defined in
 9 section 709.1, by a counselor, therapist, or school employee,
 10 as defined in section 709.15, or as a result of sexual
 11 exploitation by a counselor, therapist, or school employee
 12 shall be brought within ~~five~~ ten years of the date the victim
 13 was last treated by the counselor or therapist, or within
 14 ~~five~~ ten years of the date the victim was last enrolled in or
 15 attended the school. If the victim was a minor when the injury
 16 or exploitation occurred, an action may be brought according
 17 to section 614.8A.

18 Sec. ____ Section 614.8, Code 2018, is amended to read as
 19 follows:

20 **614.8 Minors and persons with mental illness.**

21 1. The times limited for actions in this chapter, or for
 22 complaints or claims in chapter 216, 669, or 670, except those
 23 brought for penalties and forfeitures, are extended in favor
 24 of persons with mental illness, so that they shall have one
 25 year from and after the termination of the disability within
 26 which to file a complaint pursuant to chapter 216, to make a
 27 claim pursuant to chapter 669 or 670, or to otherwise commence
 28 an action.

29 2. Except as provided in section 614.1, subsection 9, or
 30 section 614.8A, the times limited for actions in this chapter,
 31 or for complaints or claims in chapter 216, 669, or 670, except
 32 those brought for penalties and forfeitures, are extended in
 33 favor of minors, so that they shall have one year from and
 34 after attainment of majority within which to file a complaint
 35 pursuant to chapter 216, to make a claim pursuant to chapter

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1 669, or to otherwise commence an action.

2 Sec. ____ Section 614.8A, Code 2018, is amended to read as
 3 follows:

4 **614.8A Damages Commencement of action for minor or child**

5 **sexual abuse — time limitation.**

6 1. Notwithstanding section 614.8, subsection 2, and the
7 times limited for actions in this chapter, the time to file an
8 action relating to sexual abuse which occurred when the injured
9 person was a minor is extended twenty-five years beyond the
10 minor's attainment of eighteen years of age.

11 2. ~~Am~~ In addition to the extension of time provided in
12 subsection 1, an action for damages for injury suffered as
13 a result of sexual abuse which occurred when the injured
14 person was a child, but not discovered until after the injured
15 person is of the age of majority, shall be brought within ~~four~~
16 twenty-five years from the time of discovery by the injured
17 party of both the injury and the causal relationship between
18 the injury and the sexual abuse.>

19 2. Title page, lines 1 and 2, by striking <period for
20 executing judgments on claims for rent> and inserting <periods
21 for certain civil actions>

22 3. By renumbering as necessary.

SENATE AMENDMENT

H-8264

1 Amend House File 2234, as passed by the House, as follows:

2 1. By striking page 1, line 33, through page 2, line 30.

3 2. Page 3, by striking lines 3 through 11 and inserting
4 <be reduced to six months, or reduced to three months if the
5 property is not used for an agricultural purpose as defined in
6 section 535.13, provided in all cases under this section that
7 the mortgagee waives in the foreclosure action any rights to
8 a deficiency judgment against the mortgagor which might arise
9 out of the foreclosure proceedings. In such event the debtor
10 will, in the meantime, be entitled to the possession of said
11 real property; and if such redemption period is so reduced, for
12 the first ~~three~~ two months after sale such right of redemption
13 shall be exclusive to the debtor, and the time periods in
14 sections 628.5, 628.15, and 628.16, shall be reduced to ~~four~~
15 three months.>

SENATE AMENDMENT

H-8265

1 Amend Senate File 192, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 8, before line 2 by inserting:

4 <Sec. . Section 514C.31, subsection 2, paragraph c,
5 subparagraph (3), Code 2018, is amended to read as follows:

6 (3) A ~~person who holds a master's degree or a doctoral~~
7 ~~degree and is certified by a national behavior analyst~~
8 ~~certification board as a behavior analyst~~ licensed pursuant to
9 chapter 154D.>

10 2. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT

H-8266

1 Amend House File 2454 as follows:

2 1. Page 1, after line 20 by inserting:

3 <Sec. ____ Section 359.43, subsection 2, Code 2018, is
4 amended to read as follows:

5 2.a. If the levy authorized under subsection 1 is
6 insufficient to provide the services authorized or required
7 under section 359.42, the township trustees may levy an
8 additional annual tax not exceeding twenty and one-fourth cents
9 per thousand dollars of assessed value of the taxable property
10 in the township, excluding any property within the corporate
11 limits of a city, to provide the services.

12 b.(1) The additional annual tax authorized under paragraph
13 “a” may be imposed at a rate not exceeding forty and one-fourth
14 cents per thousand dollars of assessed value if the trustees of
15 the township are providing emergency medical service for the
16 township and if the authority to impose the higher additional
17 annual tax rate is approved at election.

18 (2)(a) The board of township trustees may on its own
19 motion, and upon receipt of a valid petition shall, direct the
20 county commissioner of elections to submit to the registered
21 voters of the township in the areas where the additional
22 annual tax is imposed, the proposition of levying the higher
23 additional annual tax rate for a period of time stated in the
24 proposition.

25 (b) A valid petition shall be signed by eligible electors of
26 the township residing outside the corporate limits of a city
27 equal in number to at least twenty-five percent of the number
28 of votes cast in the township outside the corporate limits
29 of a city for the office of president of the United States
30 or governor at the preceding general election. The petition
31 shall include the signatures of the petitioners, a statement
32 of their place of residence, and the date on which they signed
33 the petition.

34 (c) The election shall be held at the next general election
35 following adoption of the board’s motion or receipt of the

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1 valid petition and may be included on the same ballot as a
2 proposition submitted to the voters under section 359.44.
3 However, a petition authorized by this section shall be filed
4 not later than eighty-two days before the date of the general
5 election if the proposition is to be voted upon at the general
6 election. If a valid petition is filed after that date, the
7 proposition shall be voted on at the general election following
8 the next general election.

- 9 (d) A petition shall be examined before it is accepted for
 10 filing. If it appears valid on its face, it shall be accepted
 11 for filing. If it lacks the required number of signatures, it
 12 shall be returned to the petitioners.
- 13 (e) Petitions which have been accepted for filing are
 14 valid unless written objections are filed. Objections must be
 15 filed with the county auditor within five working days after
 16 the petition was filed. The objection process in section
 17 44.7 shall be followed for objections filed pursuant to this
 18 section.
- 19 c. The proposition is adopted if a majority of those
 20 voting on the proposition at the election approves it. If the
 21 proposition is approved at election, the township trustees may
 22 impose the additional annual tax authorized under paragraph "a"
 23 at a rate not exceeding forty and one-fourth cents per thousand
 24 dollars for the period of time approved at election, beginning
 25 with the fiscal year beginning July 1 following the general
 26 election at which the proposition was approved.
- 27 d. The proposition is not affected by a change in the
 28 boundaries of the township.
- 29 e. An extension of the period of time for the authorization
 30 to impose the higher additional annual tax rate or rescission
 31 of the authorization to impose the higher additional annual tax
 32 rate may be completed using the same procedure as is required
 33 for initial approval.>
- 34 2. Page 1, line 34, by striking <not to exceed ten years>
 35 3. Page 3, after line 2 by inserting:

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- 1 < 2A. The proposition to impose a higher additional annual
 2 tax pursuant to section 359.43, subsection 2, may be included
 3 on the ballot and submitted to the voters at the same election
 4 as the proposition to require the township to provide emergency
 5 medical service under this section.>
- 6 4. Page 3, line 17, after <section> by inserting <or the
 7 rescission of the requirement to provide emergency medical
 8 service>
- 9 5. Title page, line 1, by striking <a process> and inserting
 10 <processes>
- 11 6. Title page, line 3, after <service> by inserting <and for
 12 voter approval of a higher additional annual property tax levy
 13 rate for the provision of township services>
- 14 7. By renumbering, redesignating, and correcting internal
 15 references as necessary.

NIELSEN of Johnson

H-8267

- 1 Amend the amendment, H-8242, to House File 2400 as follows:
 2 1. By striking page 1, line 30, through page 2, line 2.

HINSON of Linn

H-8268

1 Amend Senate File 2311, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 6, line 7, by striking <(1) (a)>
 4 2. By striking page 6, line 24, through page 9, line 5.
 5 3. Page 10, by striking lines 9 through 16 and inserting
 6 <groupings.>
 7 4. By striking page 11, line 2, through page 13, line 15,
 8 and inserting:
 9 <e. The board shall conduct contested case proceedings
 10 for review of energy efficiency plans, demand response plans,
 11 and budgets filed by gas and electric utilities required to
 12 be rate-regulated under this chapter. The board may approve,
 13 reject, or modify the plans and budgets. Notwithstanding the
 14 provisions of section 17A.19, subsection 5, in an application
 15 for judicial review of the board's decision concerning a
 16 utility's ~~energy efficiency~~ plan or budget, the reviewing
 17 court shall not order a stay. Whenever a request to modify an
 18 approved plan or budget is filed subsequently by the office of
 19 consumer advocate or a gas or electric utility required to be
 20 rate-regulated under this chapter, the board shall promptly
 21 initiate a formal proceeding if the board determines that any
 22 reasonable ground exists for investigating the request. The
 23 formal proceeding may be initiated at any time by the board
 24 on its own motion. Implementation of board-approved plans or
 25 budgets shall be considered continuous in nature and shall be
 26 subject to investigation at any time by the board or the office
 27 of the consumer advocate.

28 f. Notice to customers of a contested case proceeding for
 29 review of energy efficiency plans, demand response plans, and
 30 budgets shall be in a manner prescribed by the board.

31 g.(1) A gas or electric utility required to be
 32 rate-regulated under this chapter may recover, through an
 33 automatic adjustment mechanism filed pursuant to subsection 8,
 34 over a period not to exceed the term of the plan, the costs
 35 of an energy efficiency plan or demand response plan approved

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1 by the board, ~~including amounts for a plan approved prior~~
 2 ~~to July 1, 1996~~, in a contested case proceeding conducted
 3 pursuant to paragraph "e". The board shall not allow a gas or
 4 electric utility to recover costs in excess of two percent of
 5 a customer's total billing statement in recovering the costs
 6 of energy efficiency plans or demand response plans pursuant
 7 to this paragraph. The board shall also ensure that costs are
 8 recovered from all customers on a reasonably comparable basis,
 9 including customers who utilize alternate energy production

10 facilities as defined in section 476.42.>

COMMITTEE ON COMMERCE

H-8269

1 Amend Senate File 359, as passed by the Senate, as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 FETAL BODY PARTS>

5 2. Page 1, line 1, by striking <146B.1> and inserting

6 <146D.1>

7 3. Page 1, lines 31 and 32, by striking <January 1, 2017>

8 and inserting <July 1, 2018>

9 4. Page 2, after line 4 by inserting:

10 <DIVISION ___

11 ABORTION PROHIBITIONS — FETAL HEARTBEAT

12 Sec. ___. Section 146A.1, subsections 2 and 6, Code 2018,

13 are amended to read as follows:

14 2. Compliance with the prerequisites of this section shall

15 not apply to ~~any of the following:~~

16 ~~a. An abortion performed to save the life of a pregnant~~

17 ~~woman.~~

18 ~~b. An an abortion performed in a medical emergency.~~

19 ~~c. The performance of a medical procedure by a physician~~

20 ~~that in the physician's reasonable medical judgment is designed~~

21 ~~to or intended to prevent the death or to preserve the life of~~

22 ~~the pregnant woman.~~

23 6. As used in this section, ~~"unborn child":~~

24 a. "Medical emergency" means a situation in which an

25 abortion is performed to preserve the life of the pregnant

26 woman whose life is endangered by a physical disorder, physical

27 illness, or physical injury, including a life-endangering

28 physical condition caused by or arising from the pregnancy, but

29 not including psychological conditions, emotional conditions,

30 familial conditions, or the woman's age.

31 b. "Unborn child" means an individual organism of the

32 species homo sapiens from fertilization to live birth.

33 Sec. ___. **NEW SECTION. 146C.1 Definitions.**

34 As used in this chapter, unless the context otherwise

35 requires:

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1 1. "Abortion" means the termination of a human pregnancy

2 with the intent other than to produce a live birth or to remove

3 a dead fetus.

4 2. "Fetal heartbeat" means cardiac activity, the steady and

5 repetitive rhythmic contraction of the fetal heart within the

6 gestational sac.

7 3. "Medical emergency" means the same as defined in section

8 146A.1.

- 9 4. “Physician” means a person licensed under chapter 148.
 10 5. “Reasonable medical judgment” means a medical judgment
 11 made by a reasonably prudent physician who is knowledgeable
 12 about the case and the treatment possibilities with respect to
 13 the medical conditions involved.
 14 6. “Unborn child” means the same as defined in section
 15 146A.1.
 16 Sec. . **NEW SECTION. 146C.2 Abortion prohibited** —
 17 **detectable fetal heartbeat.**
 18 1. Except in the case of a medical emergency, a physician
 19 shall not perform an abortion unless the physician has first
 20 complied with the prerequisites of chapter 146A and has
 21 tested the pregnant woman as specified in this subsection, to
 22 determine if a fetal heartbeat is detectable.
 23 a. In testing for a detectable fetal heartbeat, the
 24 physician shall perform an abdominal ultrasound, necessary to
 25 detect a fetal heartbeat according to standard medical practice
 26 and including the use of medical devices, as determined by
 27 standard medical practice and specified by rule of the board
 28 of medicine.
 29 b. Following the testing of the pregnant woman for a
 30 detectable fetal heartbeat, the physician shall inform the
 31 pregnant woman, in writing, of all of the following:
 32 (1) Whether a fetal heartbeat was detected.
 33 (2) That if a fetal heartbeat was detected, an abortion is
 34 prohibited.
 35 c. Upon receipt of the written information, the pregnant

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- 1 woman shall sign a form acknowledging that the pregnant woman
 2 has received the information as required under this subsection.
 3 2. A physician shall not perform an abortion upon a pregnant
 4 woman when it has been determined that the unborn child has
 5 a detectable fetal heartbeat, unless, in the physician’s
 6 reasonable medical judgment, a medical emergency exists.
 7 3. A physician shall retain in the woman’s medical record
 8 all of the following:
 9 a. Documentation of the testing for a fetal heartbeat
 10 as specified in subsection 1 and the results of the fetal
 11 heartbeat test.
 12 b. The pregnant woman’s signed form acknowledging that
 13 the pregnant woman received the information as required under
 14 subsection 1.
 15 4. This section shall not be construed to impose civil
 16 or criminal liability on a woman upon whom an abortion is
 17 performed in violation of this section.
 18 5. The board of medicine shall adopt rules pursuant to
 19 chapter 17A to administer this section.>
 20 5. Title page, line 1, by striking <certain actions
 21 regarding fetal body parts> and inserting <and requiring
 22 certain actions relating to a fetus>

23 6. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES

H-8270

1 Amend House Joint Resolution 2009 as follows:
 2 1. By striking everything after the resolving clause and
 3 inserting:
 4 <Section 1. The following amendment to the Constitution of
 5 the State of Iowa is proposed:
 6 Article I of the Constitution of the State of Iowa is amended
 7 by adding the following new section:
 8 **Right to keep and bear arms.** SEC. 1A. A well regulated
 9 militia being necessary to the security of a free state,
 10 the right of the people to keep and bear arms shall not be
 11 infringed.
 12 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
 13 amendment to the Constitution of the State of Iowa is referred
 14 to the general assembly to be chosen at the next general
 15 election for members of the general assembly and the secretary
 16 of state is directed to cause the proposed amendment to be
 17 published for three consecutive months previous to the date of
 18 that election as provided by law.>
 19 2. Title page, line 2, after <relating to> by inserting <a
 20 well regulated militia and>

WOLFE of Clinton

H-8271

1 Amend Senate File 2360, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 1, after line 19 by inserting:
 4 < ___. A representative of an institution of higher education
 5 in Iowa with documented expertise in dyslexia and reading
 6 instruction.>
 7 2. By renumbering, redesignating, and correcting internal
 8 references as necessary.

COMMITTEE ON EDUCATION

H-8272

1 Amend Senate File 415, as passed by the Senate, as follows:
 2 1. Page 1, line 1, by striking <2017> and inserting <2018>
 3 2. Page 1, line 2, by striking <subsections> and inserting
 4 <subsection>
 5 3. Page 1, line 6, by striking <2017> and inserting <2018>
 6 4. Page 1, line 12, by striking <2017> and inserting <2018>
 7 5. Page 1, line 20, by striking <2017> and inserting <2018>
 8 6. Page 1, line 31, by striking <2017> and inserting <2018>
 9 7. Page 2, by striking lines 11 through 20.

- 10 8. Page 2, line 22, by striking <or crime victims>
 11 9. Page 2, by striking lines 27 through 29 and inserting
 12 <person due to an alcohol overdose:>
 13 10. Page 2, by striking lines 33 and 34.
 14 11. Title page, line 4, by striking <or protection from
 15 certain crimes>
 16 12. By renumbering as necessary.

COMMITTEE ON JUDICIARY

H-8273

- 1 Amend Senate File 2382, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. By striking page 4, line 3, through page 5, line 20.
 4 2. Page 15, line 19, by striking <CRIMINAL> and inserting
 5 <POSTCONVICTION RELIEF>
 6 3. By striking page 15, line 20, through page 17, line 30.
 7 4. By striking page 18, line 8, through page 20, line 4.
 8 5. By striking page 20, line 7, through page 22, line 9.
 9 6. Page 23, by striking lines 8 through 16.
 10 7. Page 24, line 15, by striking <SERVICE AND DONATIONS> and
 11 inserting <INFORMATION>
 12 8. By striking page 24, line 16, through page 26, line 8.
 13 9. By renumbering, redesignating, and correcting internal
 14 references as necessary.

COMMITTEE ON JUDICIARY

H-8274

- 1 Amend House Joint Resolution 2009 as follows:
 2 1. By striking everything after the resolving clause and
 3 inserting:
 4 <Section 1. The following amendment to the Constitution of
 5 the State of Iowa is proposed:
 6 Article I of the Constitution of the State of Iowa is amended
 7 by adding the following new section:
 8 **Right to keep and bear arms.** SEC. 1A. A well regulated
 9 militia being the security of a free state, the right of the
 10 people to keep and bear arms shall not be infringed.
 11 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
 12 amendment to the Constitution of the State of Iowa is referred
 13 to the general assembly to be chosen at the next general
 14 election for members of the general assembly and the secretary
 15 of state is directed to cause the same to be published for
 16 three consecutive months previous to the date of that election
 17 as provided by law.>

WOLFE of Clinton

H-8275

1 Amend House Joint Resolution 2009 as follows:
2 1. Page 1, line 4, by striking <section> and inserting
3 <sections>
4 2. Page 1, by striking lines 5 through 9 and inserting:
5 <**Right to keep and bear arms.** SEC. 1A. A well regulated
6 Militia, being necessary to the security of a free State,
7 the right of the people to keep and bear Arms, shall not be
8 infringed.
9 **Right to a clean environment.** SEC. 1B. Every person has
10 a right to a clean and healthy environment, including pure
11 water, clean air, and ecologically healthy habitats; and
12 to the preservation of the natural, scenic, historic, and
13 aesthetic qualities of the environment. The state shall
14 not infringe upon these rights, by action or inaction. The
15 public natural resources of the state, among them its soils,
16 waters, air, flora, fauna, climate, and public lands, are the
17 common property of all the people, including both present and
18 future generations. The state shall serve as trustee of these
19 resources, and shall conserve, maintain, and restore them for
20 the health and benefit of all people. This paragraph and
21 the rights stated herein are self-executing, and shall be in
22 addition to any rights conferred by the public trust doctrine
23 or common law.>
24 3. Title page, by striking lines 1 through 3 and inserting
25 <A Joint Resolution proposing amendments to the Constitution of
26 the State of Iowa relating to establishing certain rights.>

ISENHART of Dubuque

H-8276

1 Amend Senate File 2364, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, line 5, by striking <shall> and inserting <may>
4 2. Page 1, by striking line 7 and inserting <are educated.
5 The plan may>
6 3. Page 1, line 9, by striking <shall> and inserting <may>
7 4. Page 1, line 11, by striking <shall> and inserting <may>
8 5. Page 1, line 15, by striking <shall> and inserting <may>
9 6. Page 1, line 19, by striking <shall> and inserting <may>
10 7. Page 1, line 21, by striking <shall> and inserting <may>
11 8. Page 1, line 23, by striking <The board> and inserting
12 <If the board and authorities have implemented a plan, the
13 board>
14 9. Page 1, by striking lines 27 through 32 and inserting:
15 <2. If the board of directors of a school district and
16 the authorities in charge of each accredited nonpublic school
17 conduct an emergency operations drill based on the emergency
18 operations plan in each school building, school personnel may
19 participate in the drill, but shall not be required to do so.

20 Persons participating in>
 21 10. Title page, line 1, by striking <requiring> and
 22 inserting <permitting>

MASCHER of Johnson

H-8277

1 Amend Senate File 2364, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 1, before line 1 by inserting:
 4 <Section 1. Section 20.3, subsection 11, Code 2018, is
 5 amended by adding the following new paragraph:
 6 NEW PARAGRAPH. g. A teacher licensed under chapter 272.>
 7 2. Page 1, after line 35 by inserting:
 8 <Sec. __.APPLICABILITY. This Act applies to collective
 9 bargaining procedures pursuant to chapter 20 initiated on or
 10 after the effective date of this Act.>
 11 3. Title page, line 3, after <buildings> by inserting <,
 12 designating teachers as public safety employees for purposes
 13 of public employee collective bargaining, and including
 14 applicability provisions>
 15 4. By renumbering as necessary.

HUNTER of Polk

H-8278

1 Amend House Joint Resolution 2009 as follows:
 2 1. By striking everything after the resolving clause and
 3 inserting:
 4 <Section 1. The following amendment to the Constitution of
 5 the State of Iowa is proposed:
 6 Article I of the Constitution of the State of Iowa is amended
 7 by adding the following new section:
 8 **Right to keep and bear arms.** SEC. 1A. A well regulated
 9 militia being necessary to the security of a free state,
 10 the right of the people to keep and bear arms shall not be
 11 infringed.
 12 Sec. 2.REFERRAL AND PUBLICATION. The foregoing proposed
 13 amendment to the Constitution of the State of Iowa is referred
 14 to the general assembly to be chosen at the next general
 15 election for members of the general assembly and the secretary
 16 of state is directed to cause the proposed amendment to be
 17 published for three consecutive months previous to the date of
 18 that election as provided by law.>

WOLFE of Clinton

H-8279

1 Amend Senate File 2364, as amended, passed, and reprinted by
 2 the Senate, as follows:

- 3 1. Page 1, after line 35 by inserting:
 4 <Sec. __.SCHOOL SAFETY STUDY COMMITTEE.
 5 1. The director of the department of education shall
 6 designate a member of the Iowa school safety alliance to
 7 establish a school safety study committee for the purpose of
 8 making recommendations for the improvement of safety in schools
 9 in this state.
 10 2.a. The study committee shall consist of the following
 11 members:
 12 (1) Four law enforcement officers representing rural and
 13 urban areas.
 14 (2) Four teachers representing rural and urban areas.
 15 (3) Four students representing rural and urban areas.
 16 (4) A representative of the Iowa emergency management
 17 association.
 18 b. The membership of the study committee shall also
 19 include four members of the general assembly. The legislative
 20 members shall serve as ex officio, nonvoting members of the
 21 study committee, with one member to be appointed by each
 22 of the following: the majority leader of the senate, the
 23 minority leader of the senate, the speaker of the house of
 24 representatives, and the minority leader of the house of
 25 representatives.
 26 c. The study committee shall elect a chairperson from among
 27 its voting members.
 28 3. The study committee shall meet at least three times. The
 29 study committee shall submit its recommendations in a report to
 30 the governor and the general assembly no later than December
 31 31, 2018.>
 32 2. Title page, line 3, after <buildings> by inserting <and
 33 providing for a school safety study committee>
 34 3. By renumbering as necessary.

HUNTER of Polk

H-8280

- 1 Amend the amendment, H-8278, to House Joint Resolution 2009
 2 as follows:
 3 1. Page 1, by striking lines 1 through 18 and inserting:
 4 <Amend House Joint Resolution 2009 as follows:
 5 1. By striking everything after the resolving clause and
 6 inserting:
 7 <Section 1. The following amendment to the Constitution of
 8 the State of Iowa is proposed:
 9 Article I of the Constitution of the State of Iowa is amended
 10 by adding the following new section:
 11 **Right to keep and bear arms.** SEC. 1A. A well regulated
 12 Militia, being necessary to the security of a free State,
 13 the right of the people to keep and bear Arms, shall not be
 14 infringed.

15 Sec. 2.REFERRAL AND PUBLICATION. The foregoing proposed
 16 amendment to the Constitution of the State of Iowa is referred
 17 to the general assembly to be chosen at the next general
 18 election for members of the general assembly and the secretary
 19 of state is directed to cause the proposed amendment to be
 20 published for three consecutive months previous to the date of
 21 that election as provided by law.>>

WOLFE of Clinton

H-8281

1 Amend the amendment, H-8274, to House Joint Resolution 2009
 2 as follows:
 3 1. Page 1, by striking lines 1 through 17 and inserting:
 4 <Amend House Joint Resolution 2009 as follows:
 5 1. By striking everything after the resolving clause and
 6 inserting:
 7 <Section 1. The following amendment to the Constitution of
 8 the State of Iowa is proposed:
 9 Article I of the Constitution of the State of Iowa is amended
 10 by adding the following new section:
 11 **Right to keep and bear arms.** SEC. 1A. A well regulated
 12 Militia, being necessary to the security of a free State,
 13 the right of the people to keep and bear Arms, shall not be
 14 infringed.
 15 Sec. 2.REFERRAL AND PUBLICATION. The foregoing proposed
 16 amendment to the Constitution of the State of Iowa is referred
 17 to the general assembly to be chosen at the next general
 18 election for members of the general assembly and the secretary
 19 of state is directed to cause the proposed amendment to be
 20 published for three consecutive months previous to the date of
 21 that election as provided by law.>>

WOLFE of Clinton

H-8282

1 Amend the amendment, H-8270, to House Joint Resolution 2009
 2 as follows:
 3 1. Page 1, by striking lines 1 through 20 and inserting:
 4 <Amend House Joint Resolution 2009 as follows:
 5 1. By striking everything after the resolving clause and
 6 inserting:
 7 <Section 1. The following amendment to the Constitution of
 8 the State of Iowa is proposed:
 9 Article I of the Constitution of the State of Iowa is amended
 10 by adding the following new section:
 11 **Right to keep and bear arms.** SEC. 1A. A well regulated
 12 Militia, being necessary to the security of a free State,
 13 the right of the people to keep and bear Arms, shall not be
 14 infringed.

15 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
16 amendment to the Constitution of the State of Iowa is referred
17 to the general assembly to be chosen at the next general
18 election for members of the general assembly and the secretary
19 of state is directed to cause the proposed amendment to be
20 published for three consecutive months previous to the date of
21 that election as provided by law.>>

WOLFE of Clinton

H-8283

1 Amend Senate File 2364, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, line 29, by striking <all school personnel
4 conduct>
5 2. Page 1, line 32, by striking <educated> and inserting
6 <educated be conducted that includes but is not limited to
7 administrators, teachers, secretaries, receptionists, school
8 support staff, and custodians. The drill may include but is
9 not limited to a table top exercise, walk-through, partial
10 drill, or full drill.>
11 3. Page 1, line 33, after <students.> by inserting <Prior
12 to the drill, local law enforcement and emergency management
13 agencies that will participate in the drill shall provide
14 the participating board and authorities with a written plan
15 listing equipment and personnel to be used during the drill.
16 The plan shall be presented to the participating board and
17 authorities for approval prior to the drill. A drill shall not
18 be conducted unless the plan is approved by the participating
19 board and authorities.>

BRECKENRIDGE of Jasper

H-8284

1 Amend Senate File 2364, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 257.2, subsection 2, Code 2018, is
5 amended by striking the subsection.
6 Sec. .NEW SECTION. 257.14A District cost per pupil
7 equity — budget adjustment.
8 1. The board of directors of a school district with a
9 regular program district cost per pupil that is less than the
10 highest regular program district cost per pupil among all
11 school districts in the state for the same budget year that
12 wishes to receive the budget adjustment under this section
13 may adopt a resolution by May 15 preceding the budget year
14 stating that the board will use funds from its cash reserve for
15 personnel costs and services that directly affect the safety
16 of students, and shall within ten days of adoption of the

17 resolution notify the department of management of the amount of
18 the budget adjustment to be received.

19 2.a. For budget years beginning on or after July 1,
20 2018, each school district that satisfies the requirements of
21 subsection 1 shall be eligible for a budget adjustment for that
22 budget year in an amount not to exceed the difference between
23 the school district's regular program district cost per pupil
24 and the highest regular program district cost per pupil among
25 all school districts in the state multiplied by the district's
26 budget enrollment. The resolution adopted under subsection 1
27 may specify a budget adjustment amount that is less than the
28 maximum amount authorized under this paragraph "a".

29 b. The school district shall fund the budget adjustment
30 either by using moneys from its unexpended fund balance or by
31 using cash reserve moneys.

32 3. A budget adjustment received under this section shall
33 not affect the eligibility for or amount of any other budget
34 adjustment authorized by law for the same budget year. In
35 addition, a budget adjustment under this section shall be

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1 limited to the budget year for which the adjustment was
2 authorized and shall not be included in any computation of a
3 school district's cost for any future budget year.

4 Sec. ____ Section 257.34, Code 2018, is amended to read as
5 follows:

6 **257.34 Cash reserve information.**

7 1. If a school district receives less state school
8 foundation aid under section 257.1 than is due under that
9 section for a base year and the school district uses funds
10 from its cash reserve during the base year to make up for
11 the amount of state aid not paid, the board of directors of
12 the school district shall include in its general fund budget
13 document information about the amount of the cash reserve used
14 to replace state school foundation aid not paid.

15 2. If a school district uses funds from its cash reserve
16 during the base year to fund a budget adjustment under section
17 257.14A, the board of directors of the school district shall
18 include in its general fund budget document information about
19 the amount of the cash reserve used for such purpose.>

20 2. Page 1, after line 35 by inserting:
21 <Sec. ____IMPLEMENTATION. Notwithstanding the deadline
22 for adopting a resolution to approve the budget adjustment
23 in section 257.14A, subsection 1, for the school budget
24 year beginning July 1, 2018, the resolution of the board of
25 directors of a school district shall be approved not later than
26 June 10, 2018.

27 Sec. ____EFFECTIVE UPON ENACTMENT. This Act, being deemed
28 of immediate importance, take effect upon enactment.>

29 3. Title page, line 3, after <buildings> by inserting <and
30 providing for budget adjustments relating to student safety>

31 4. By renumbering, redesignating, and correcting internal
32 references as necessary.

WINCKLER of Scott
KURTH of Scott
THEDE of Scott

H-8285

1 Amend Senate File 2349, as passed by the Senate, as follows:
2 1. Page 3, line 3, before <The> by inserting <1.>
3 2. Page 3, after line 6 by inserting:
4 <2. An association health plan created pursuant to this
5 chapter shall not deny, exclude, or limit benefits for a member
6 based on a member's preexisting condition.>

OLDSON of Polk

H-8286

1 Amend House File 2407, as passed by the House, as follows:
2 1. Page 1, line 3, after <not> by inserting <intentionally>
3 2. Page 1, line 4, by striking <or other chemical> and
4 inserting <off label>

SENATE AMENDMENT

H-8287

1 Amend Senate File 2364, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, line 9, after <disasters> by inserting <and shall
4 also include measures for securing a classroom from the inside
5 with the ability of a teacher to lock and secure all classroom
6 entrances including windows and doors>

STAED of Linn

H-8288

1 Amend Senate File 2349, as passed by the Senate, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 507A.4, subsection 9, Code 2018, is
5 amended to read as follows:
6 9.a. Transactions involving a multiple employer welfare
7 arrangement, as defined in section 3 of the federal Employee
8 Retirement Income Security Act of 1974, 29 U.S.C. §1002,
9 paragraph 40, if the multiple employer welfare arrangement
10 meets all of the following conditions:
11 (1) The arrangement is administered by an authorized
12 insurer or an authorized third-party administrator.
13 ~~(2) The arrangement has been in existence and provided~~

14 health insurance in Iowa for at least five years prior to July
15 1, 1997.

16 (3) (2) The arrangement ~~was~~ is established by a trade,
17 industry, or professional association of employers that
18 has a constitution or bylaws, and ~~has been~~ is organized and
19 maintained in good faith ~~for at least ten continuous years~~
20 ~~prior to July 1, 1997 with membership stability as defined by~~
21 ~~rules adopted by the commissioner.~~

22 (4) (3) The arrangement registers with and obtains
23 ~~and maintains~~ a certificate of registration issued by the
24 commissioner ~~of insurance.~~

25 (5) (4) The arrangement is subject to the jurisdiction
26 of the commissioner ~~of insurance, including regulatory~~
27 ~~oversight and complies with all rules and solvency standards as~~
28 ~~established by rules adopted by the commissioner of insurance~~
29 pursuant to chapter 17A.

30 b. A multiple employer welfare arrangement ~~registered with~~
31 ~~the commissioner of insurance~~ that does not meet the solvency
32 ~~standards requirements~~ established by ~~rule adopted by the~~
33 ~~commissioner of insurance is~~ pursuant to chapter 17A shall be
34 subject to chapter 507C.

35 c. A multiple employer welfare arrangement that meets all

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1 of the conditions of paragraph "a" shall not be considered any
2 of the following:

3 (1) An insurance company or association of any kind or
4 character under section 432.1.

5 (2) A member of the Iowa individual health benefit
6 reinsurance association under section 513C.10.

7 (3) A member insurer of the Iowa life and health insurance
8 guaranty association under section 508C.5, subsection 12.

9 d. A multiple employer welfare arrangement registered with
10 the commissioner ~~of insurance~~ shall file with the commissioner
11 ~~of insurance~~ on or before March 1 of each year a copy of the
12 report required to be filed by the multiple employer welfare
13 arrangement with the United States department of labor pursuant
14 to 29 C.F.R. §2520.101-2. A newly formed multiple employer
15 welfare arrangement shall file with the commissioner a copy
16 of the report required to be filed pursuant to 29 C.F.R.
17 §2520.101-2 by a newly formed multiple employer welfare
18 arrangement with the United States department of labor thirty
19 days prior to operating in any state. The copy shall be filed
20 with the commissioner within thirty calendar days of the date
21 that the multiple employer welfare arrangement files the report
22 with the United States department of labor.

23 e. ~~When not otherwise provided, a~~ A foreign or domestic
24 multiple employer welfare arrangement doing business in this
25 state shall pay to the commissioner of insurance the fees
26 ~~as required in~~ pursuant to section 511.24 unless otherwise
27 provided by law.

28 Sec. 2. Section 509.1, Code 2018, is amended by adding the
 29 following new subsection:
 30 NEW SUBSECTION. 8A. A policy of group health insurance
 31 coverage issued to an associated health plan pursuant
 32 to section 513D.1 that is subject to regulation by the
 33 commissioner.
 34 Sec. 3. Section 509.1, subsection 9, unnumbered paragraph
 35 1, Code 2018, is amended to read as follows:

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1 A policy issued to a resident of this state under a group
 2 life, accident, or health insurance policy issued to a group
 3 other than one described in subsections 1 through 8 8A, subject
 4 to the following requirements:
 5 Sec. 4.NEW SECTION. **513D.1 Association health plans.**
 6 The commissioner shall adopt rules that allow for the
 7 creation of association health plans that are consistent with
 8 the United States department of labor's regulations in 29
 9 C.F.R. pt. 2510.
 10 Sec. 5.NEW SECTION. **513D.2 Rules and enforcement.**
 11 1. The commissioner shall adopt rules, as necessary,
 12 pursuant to chapter 17A to administer this chapter.
 13 2. The commissioner may take any enforcement action under
 14 the commissioner's authority to enforce compliance with this
 15 chapter.>

LONDON of Polk

H-8289

1 Amend the amendment, H-8288, to Senate File 2349, as passed
 2 by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 3, line 15, and
 4 inserting:
 5 <Amend Senate File 2349, as passed by the Senate, as follows:
 6 . By striking everything after the enacting clause and
 7 inserting:
 8 <Section 1.NEW SECTION. **505.20 Certain agricultural**
 9 **organizations exempt from regulation.**
 10 1. A health benefit plan, sponsored by a nonprofit
 11 agricultural organization domiciled in this state and created
 12 primarily to promote programs for the development of rural
 13 communities and the economic stability and sustainability of
 14 farmers in the state which meets the requirements set forth in
 15 subsection 2, shall be deemed to not be insurance and shall
 16 not be subject to the provisions of Title XIII, subtitle 1, to
 17 the extent such plan, after January 1, 2018, provides health
 18 benefits under a self-funded arrangement that is administered
 19 by a domestic entity that is registered as a third-party
 20 administrator pursuant to chapter 510 and that has continuously
 21 provided, either directly or through an affiliate, health

22 care administrative services to the nonprofit agricultural
 23 organization or its affiliates for a period in excess of ten
 24 years.

25 2. A nonprofit agricultural organization providing a health
 26 benefit plan to its members under this section must meet all
 27 of the following requirements:

28 a. Have been in existence for twenty-five continuous years
 29 prior to the issuance of health benefits to members of the
 30 organization.

31 b. Provide membership opportunities for eligible individuals
 32 in all ninety-nine counties of the state.

33 c. Collect annual dues from members.

34 d. Hold regular meetings to further the purposes of the
 35 members.

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1 e. Provide the members with representation on its governing
 2 board and committees.

3 f. Provide education, mentoring, and financial assistance to
 4 grow and expand rural businesses in the state.

5 g. Have contracted with the domestic entity described in
 6 subsection 1 to administer the health benefit plan.

7 3. Such nonprofit agricultural organization shall file a
 8 certification with the commissioner that the organization meets
 9 the foregoing requirements prior to providing health benefits
 10 under a self-funded arrangement to its members.

11 Sec. 2. Section 507A.4, subsection 9, Code 2018, is amended
 12 to read as follows:

13 9.a. Transactions involving a multiple employer welfare
 14 arrangement, as defined in section 3 of the federal Employee
 15 Retirement Income Security Act of 1974, 29 U.S.C. §1002,
 16 paragraph 40, if the multiple employer welfare arrangement
 17 meets all of the following conditions:

18 (1) The arrangement is administered by an authorized
 19 insurer or an authorized third-party administrator.

20 ~~(2) The arrangement has been in existence and provided~~
 21 ~~health insurance in Iowa for at least five years prior to July~~
 22 ~~1, 1997.~~

23 ~~(3) (2) The arrangement was is established by a trade,~~
 24 ~~industry, or professional association of employers that~~
 25 ~~has a constitution or bylaws, and has been is organized and~~
 26 ~~maintained in good faith for at least ten continuous years~~
 27 ~~prior to July 1, 1997 with membership stability as defined by~~
 28 ~~rules adopted by the commissioner.~~

29 ~~(4) (3) The arrangement registers with and obtains~~
 30 ~~and maintains a certificate of registration issued by the~~
 31 ~~commissioner of insurance.~~

32 ~~(5) (4) The arrangement is subject to the jurisdiction~~
 33 ~~of the commissioner of insurance, including regulatory~~
 34 ~~oversight and complies with all rules and solvency standards as~~
 35 ~~established by rules adopted by the commissioner of insurance~~

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1 pursuant to chapter 17A.

2 ~~b. A multiple employer welfare arrangement registered with~~
3 ~~the commissioner of insurance that does not meet the solvency~~
4 ~~standards requirements established by rule adopted by the~~
5 ~~commissioner of insurance is pursuant to chapter 17A shall be~~
6 subject to chapter 507C.

7 c. A multiple employer welfare arrangement that meets all
8 of the conditions of paragraph "a" shall not be considered any
9 of the following:

10 (1) An insurance company or association of any kind or
11 character under section 432.1.

12 (2) A member of the Iowa individual health benefit
13 reinsurance association under section 513C.10.

14 (3) A member insurer of the Iowa life and health insurance
15 guaranty association under section 508C.5, subsection 12.

16 d. ~~A multiple employer welfare arrangement registered with~~
17 ~~the commissioner of insurance shall file with the commissioner~~
18 ~~of insurance on or before March 1 of each year a copy of the~~
19 ~~report required to be filed by the multiple employer welfare~~
20 ~~arrangement with the United States department of labor pursuant~~
21 ~~to 29 C.F.R. §2520.101-2. A newly formed multiple employer~~
22 ~~welfare arrangement shall file with the commissioner a copy~~
23 ~~of the report required to be filed pursuant to 29 C.F.R.~~
24 ~~§2520.101-2 by a newly formed multiple employer welfare~~
25 ~~arrangement with the United States department of labor thirty~~
26 ~~days prior to operating in any state. The copy shall be filed~~
27 ~~with the commissioner within thirty calendar days of the date~~
28 ~~that the multiple employer welfare arrangement files the report~~
29 ~~with the United States department of labor.~~

30 e. ~~When not otherwise provided, a~~ A foreign or domestic
31 multiple employer welfare arrangement doing business in this
32 state shall pay ~~to the commissioner of insurance the fees~~
33 ~~as required in pursuant to section 511.24 unless otherwise~~
34 ~~provided by law.~~

35 Sec. 3. Section 509.1, Code 2018, is amended by adding the

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1 following new subsection:

2 NEW SUBSECTION. 8A. A policy of group health insurance
3 coverage issued to an associated health plan pursuant
4 to section 513D.1 that is subject to regulation by the
5 commissioner.

6 Sec. 4. Section 509.1, subsection 9, unnumbered paragraph
7 1, Code 2018, is amended to read as follows:

8 A policy issued to a resident of this state under a group
9 life, accident, or health insurance policy issued to a group
10 other than one described in subsections 1 through 8 8A, subject
11 to the following requirements:

12 Sec. 5. NEW SECTION. **513D.1 Association health plans.**

13 The commissioner shall adopt rules that allow for the
14 creation of association health plans that are consistent with
15 the United States department of labor’s regulations in 29
16 C.F.R. pt. 2510.

17 Sec. 6. NEW SECTION. **513D.2 Rules and enforcement.**

- 18 1. The commissioner shall adopt rules, as necessary,
- 19 pursuant to chapter 17A to administer this chapter.
- 20 2. The commissioner may take any enforcement action under
- 21 the commissioner’s authority to enforce compliance with this
- 22 chapter.

23 Sec. 7. EMERGENCY RULES. The commissioner may adopt
24 emergency rules under section 17A.4, subsection 3, and
25 section 17A.5, subsection 2, paragraph “b”, to administer the
26 provisions of this Act. Any rules adopted in accordance with
27 this section shall also be published as a notice of intended
28 action as provided in section 17A.4.>

29 _____. Title page, by striking lines 1 through 3 and inserting
30 <An Act relating to health plans established by associations of
31 employers or sponsored by certain agricultural organizations.>>

- 32 2. By renumbering as necessary.

LONDON of Polk

H-8290

1 Amend the amendment, H-8012, to Senate File 2117, as
2 amended, passed, and reprinted by the Senate, as follows:

- 3 1. Page 2, by striking line 34 and inserting:
- 4 <..... \$ 10,933,070>
- 5 2. By striking page 4, line 26, through page 5, line 4.
- 6 3. By striking page 8, line 14, through page 9, line 5.
- 7 4. By renumbering as necessary.

GRASSLEY of Butler

H-8291

1 Amend the amendment, H-8288, to Senate File 2349, as passed
2 by the Senate, as follows:

- 3 1. By striking page 1, line 1, through page 3, line 15, and
- 4 inserting:
- 5 <Amend Senate File 2349, as passed by the Senate, as follows:
- 6 _____. By striking everything after the enacting clause and
- 7 inserting:
- 8 <Section 1. Section 507A.4, subsection 9, Code 2018, is
- 9 amended to read as follows:
- 10 9.a. Transactions involving a multiple employer welfare
- 11 arrangement, as defined in section 3 of the federal Employee
- 12 Retirement Income Security Act of 1974, 29 U.S.C. §1002,
- 13 paragraph 40, if the multiple employer welfare arrangement

14 meets all of the following conditions:

15 (1) The arrangement is administered by an authorized
16 insurer or an authorized third-party administrator.
17 (2) ~~The arrangement has been in existence and provided~~
18 ~~health insurance in Iowa for at least five years prior to July~~
19 ~~1, 1997.~~

20 ~~(3) (2) The arrangement was is established by a trade,~~
21 ~~industry, or professional association of employers that~~
22 ~~has a constitution or bylaws, and has been is organized and~~
23 ~~maintained in good faith for at least ten continuous years~~
24 ~~prior to July 1, 1997 with membership stability as defined by~~
25 ~~rules adopted by the commissioner.~~

26 ~~(4) (3) The arrangement registers with and obtains~~
27 ~~and maintains a certificate of registration issued by the~~
28 ~~commissioner of insurance.~~

29 ~~(5) (4) The arrangement is subject to the jurisdiction~~
30 ~~of the commissioner of insurance, including regulatory~~
31 ~~oversight and complies with all rules and solvency standards as~~
32 ~~established by rules adopted by the commissioner of insurance~~
33 ~~pursuant to chapter 17A.~~

34 b. A multiple employer welfare arrangement ~~registered with~~
35 ~~the commissioner of insurance~~ that does not meet the solvency

PAGE 2

1 ~~standards requirements established by rule adopted by the~~
2 ~~commissioner of insurance is pursuant to chapter 17A shall be~~
3 ~~subject to chapter 507C.~~

4 c. A multiple employer welfare arrangement that meets all
5 of the conditions of paragraph "a" shall not be considered any
6 of the following:

7 (1) An insurance company or association of any kind or
8 character under section 432.1.

9 (2) A member of the Iowa individual health benefit
10 reinsurance association under section 513C.10.

11 (3) A member insurer of the Iowa life and health insurance
12 guaranty association under section 508C.5, subsection 12.

13 d. A multiple employer welfare arrangement registered with
14 the commissioner of insurance shall file with the commissioner
15 of insurance on or before March 1 of each year a copy of the
16 report required to be filed by the multiple employer welfare
17 arrangement with the United States department of labor pursuant
18 to 29 C.F.R. §2520.101-2. A newly formed multiple employer
19 welfare arrangement shall file with the commissioner a copy
20 of the report required to be filed pursuant to 29 C.F.R.
21 §2520.101-2 by a newly formed multiple employer welfare
22 arrangement with the United States department of labor thirty
23 days prior to operating in any state. The copy shall be filed
24 with the commissioner within thirty calendar days of the date
25 that the multiple employer welfare arrangement files the report
26 with the United States department of labor.

27 e. ~~When not otherwise provided, a~~ A foreign or domestic

28 multiple employer welfare arrangement doing business in this
 29 state shall pay to the commissioner of insurance the fees
 30 as required in pursuant to section 511.24 unless otherwise
 31 provided by law.

32 Sec. 2. Section 509.1, Code 2018, is amended by adding the
 33 following new subsection:

34 NEW SUBSECTION. 8A. A policy of group health insurance
 35 coverage issued to an associated health plan pursuant

PAGE 3

1 to section 513D.1 that is subject to regulation by the
 2 commissioner.

3 Sec. 3. Section 509.1, subsection 9, unnumbered paragraph
 4 1, Code 2018, is amended to read as follows:

5 A policy issued to a resident of this state under a group
 6 life, accident, or health insurance policy issued to a group
 7 other than one described in subsections 1 through 8 8A, subject
 8 to the following requirements:

9 Sec. 4. NEW SECTION. **513D.1 Association health plans.**

10 The commissioner shall adopt rules that allow for the
 11 creation of association health plans that are consistent with
 12 the United States department of labor's regulations in 29
 13 C.F.R. pt. 2510. An association health plan created pursuant
 14 to this chapter shall comply with chapter 514C and shall not
 15 deny, exclude, or limit benefits for a member based on a
 16 member's preexisting condition.

17 Sec. 5. NEW SECTION. **513D.2 Rules and enforcement.**

18 1. The commissioner shall adopt rules, as necessary,
 19 pursuant to chapter 17A to administer this chapter.

20 2. The commissioner may take any enforcement action under
 21 the commissioner's authority to enforce compliance with this
 22 chapter and chapter 514C.>>

OLDSON of Polk

H-8292

1 Amend the amendment, H-8012, to Senate File 2117, as
 2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 9, after line 5 by inserting:

4 <DIVISION ___
 5 TAX CREDITS

6 Sec. __. NEW SECTION. **421.11 Tax credits — applicability.**

7 1. For purposes of this section, "tax expenditure" means the
 8 same as defined in section 2.48.

9 2. Tax expenditure and tax rate provisions in legislation
 10 enacted on or after the effective date of this Act shall first
 11 apply to the tax year that follows a fiscal year in which the
 12 ending balance of both the economic emergency fund created in
 13 section 8.55 and the cash reserve fund created in section 8.56
 14 are equal to the maximum balance for both funds.

- 15 3. This section only applies to tax rate provisions that
 16 reduce the rate of taxation.>
 17 2. Title page, line 1, after <funding> by inserting <,
 18 taxation,>
 19 3. By renumbering as necessary.

HALL of Woodbury

H-8293

- 1 Amend the amendment, H-8012, to Senate File 2117, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 9, after line 5 by inserting:
 4 <DIVISION ___
 5 TAX CREDIT REVIEW
 6 Sec. ___.NEW SECTION. 421.11 Ongoing tax credit review —
 7 **repeal dates.**
 8 1. The general assembly finds that a regular review of
 9 the tax credits administered by the department of revenue is
 10 necessary to determine whether each credit is effectively and
 11 efficiently meeting the needs for which created and whether
 12 the needs remain applicable. The general assembly further
 13 finds that a regular, systematic review process can identify
 14 the tax credits that are no longer relevant or functioning at
 15 a desirable level and can eliminate or reorganize those tax
 16 credits so that state resources can be used most effectively or
 17 diverted to other priorities.
 18 2. The committees on ways and means of the senate and house
 19 of representatives shall propose legislation for consideration
 20 by the eighty-eighth general assembly, 2019 session, providing
 21 a staggered schedule for establishing an automatic repeal
 22 date for each tax credit administered by the department over
 23 the succeeding five-year period. The committees on ways and
 24 means shall consult with the office of the governor and the
 25 department in formulating the staggered schedule and the
 26 office and department shall cooperate in providing necessary
 27 information requested by either committee. The repeal date
 28 provisions shall be implemented in a manner so that any
 29 tax credit that is reauthorized by law is again subject to
 30 automatic repeal five years after reauthorization.>
 31 ___. Title page, line 1, after <funding> by inserting <,
 32 taxation,>>
 33 2. By renumbering as necessary.

HALL of Woodbury

H-8294

- 1 Amend the amendment, H-8012, to Senate File 2117, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 7, by striking lines 9 through 32.
 4 2. By renumbering as necessary.

T. TAYLOR of Linn

H-8295

1 Amend Senate File 359, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 146A.1, Code 2018, is amended by
5 striking the section and inserting in lieu thereof the
6 following:

7 **146A.1 Prerequisites for an abortion.**

8 Except in the case of a medical emergency, as defined in
9 section 135L.1, for any woman, the physician shall certify both
10 of the following before performing an abortion:

11 1. That the woman has been given the opportunity to view an
12 ultrasound image of the fetus as part of the standard of care.

13 2. That the woman has been provided information regarding
14 the options relative to a pregnancy, including continuing the
15 pregnancy to term and retaining parental rights following the
16 child's birth, continuing the pregnancy to term and placing the
17 child for adoption, and terminating the pregnancy.

18 Sec. 2.REPEAL. Chapter 146B, Code 2018, is repealed.>

19 2. Title page, line 1, by striking <prohibiting> and
20 inserting <requiring>

21 3. Title page, lines 1 and 2, by striking <fetal body parts
22 and providing penalties> and inserting <a fetus>

WESSEL-KROESCHELL of Story

H-8296

1 Amend the amendment, H-8269, to Senate File 359, as passed by
2 the Senate, as follows:

3 1. By striking page 1, line 1, through page 3, line 23, and
4 inserting:

5 <Amend Senate File 359, as passed by the Senate, as follows:

6 _____. By striking everything after the enacting clause and
7 inserting:

8 <Section 1. Section 146A.1, Code 2018, is amended by
9 striking the section.

10 Sec. 2. 2017 Iowa Acts, chapter 108, sections 5, 6, and 7,
11 are amended by striking the sections.

12 Sec. 3.REPEAL. Chapter 146B, Code 2018, is repealed.>

13 _____. Title page, line 1, by striking <prohibiting> and
14 inserting <requiring>

15 _____. Title page, lines 1 and 2, by striking <fetal body
16 parts and providing penalties> and inserting <a fetus>>

WESSEL-KROESCHELL of Story

H-8297

- 1 Amend the House amendment, S-5083, to Senate File 2177, as
2 passed by the Senate, as follows:
3 1. Page 1, lines 24 and 25, by striking <subsections 1 and
4 5, Code 2018, are> and inserting <subsection 5, Code 2018, is>
5 2. By striking page 1, line 26, through page 2, line 6.

SENATE AMENDMENT

H-8298

- 1 Amend House File 2446, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 2, by striking lines 19 and 20 and inserting
4 <sections ~~476.11, 476.29, 476.95, 476.96, 476.95A, 476.95B,~~
5 476.100, ~~476.101,~~ and 476.102.>
6 2. Page 14, line 23, by striking <476.100,>

SENATE AMENDMENT

H-8299

- 1 Amend House File 2392, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, line 6, after <communications> by inserting <in
4 order to provide proof of or prevent criminal activity that is>

SENATE AMENDMENT

H-8300

- 1 Amend the amendment, H-8295, to Senate File 359, as passed by
2 the Senate, as follows:
3 1. Page 1, by striking lines 1 through 22 and inserting:
4 <Amend Senate File 359, as passed by the Senate, as follows:
5 _____. By striking everything after the enacting clause and
6 inserting:
7 <Section 1. Section 146A.1, Code 2018, is amended by
8 striking the section.
9 Sec. 2. 2017 Iowa Acts, chapter 108, sections 5, 6, and 7,
10 are amended by striking the sections.
11 Sec. 3.REPEAL. Chapter 146B, Code 2018, is repealed.>
12 _____. Title page, line 1, by striking <prohibiting> and
13 inserting <requiring>
14 _____. Title page, lines 1 and 2, by striking <fetal body
15 parts and providing penalties> and inserting <a fetus>>

WESSEL-KROESCHELL of Story

H-8301

- 1 Amend Senate File 2364, as amended, passed, and reprinted by

2 the Senate, as follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1.NEW SECTION. 225C.54A Mental health services
5 **system for children and youth — regional core services.**

6 1. For the purposes of this section, unless the context
7 otherwise requires, “*domain*” means a set of similar services
8 that can be provided depending upon a child’s or youth’s
9 service needs.

10 2.a.(1) A region shall work with service providers to
11 ensure that mental health and disability services are available
12 to children and youth who are residents of the region,
13 regardless of the potential payment source for the services.

14 (2) Subject to the available appropriations, the director
15 of human services shall ensure the mental health and disability
16 service domains listed in subsection 4 are covered services
17 for the medical assistance program under chapter 249A to the
18 greatest extent allowable under federal regulations. Within
19 funds available, the region shall pay for such services for
20 eligible children and youth when payment through the medical
21 assistance program or another third-party payment is not
22 available, unless the child or youth is on a waiting list for
23 such payment or it has been determined that the child or youth
24 does not meet the eligibility criteria for any such service.

25 b. Until funding is designated for other mental health
26 and disability service populations, eligibility for the
27 service domains listed in this section shall be limited to
28 such children and youth who are in need of mental health or
29 intellectual disability services. However, if a county in
30 a region was providing services to an eligibility class of
31 children and youth with a developmental disability other than
32 intellectual disability or a brain injury prior to formation
33 of the region, the class of children and youth shall remain
34 eligible for the services provided when the region was formed,
35 provided that funds are available to continue such services

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1 without limiting or reducing core services.

2 3. Pursuant to recommendations made by the director of human
3 services, the state commission shall adopt rules as required by
4 section 225C.6 to define the services included in the initial
5 and additional core service domains listed in this section.
6 The rules shall provide consistency, to the extent possible,
7 with similar service definitions under the medical assistance
8 program. The rules relating to the credentialing of a person
9 directly providing services shall require all of the following:

10 a. The person shall provide services and represent the
11 person as competent only within the boundaries of the person’s
12 education, training, license, certification, consultation
13 received, supervised experience, or other relevant professional
14 experience.

15 b. The person shall provide services in substantive areas

16 or use intervention techniques or approaches that are new only
17 after engaging in appropriate study, training, consultation,
18 and supervision from a person who is competent in those areas,
19 techniques, or approaches.

20 c. If generally recognized standards do not exist with
21 respect to an emerging area of practice, the person shall
22 exercise careful judgment and take responsible steps,
23 including obtaining appropriate education, research, training,
24 consultation, and supervision, in order to ensure competence
25 and to protect from harm the persons receiving the services in
26 the emerging area of practice.

27 4. The initial core service domains shall include the
28 following:

29 a. Treatment designed to ameliorate a child's or youth's
30 condition, including but not limited to all of the following:

- 31 (1) Assessment and evaluation.
- 32 (2) Mental health outpatient therapy.
- 33 (3) Medication prescribing and management.
- 34 (4) Mental health inpatient treatment.

35 b. Basic crisis response provisions, including but not

PAGE 3

1 limited to all of the following:

- 2 (1) Twenty-four-hour access to crisis response.
- 3 (2) Evaluation.
- 4 (3) Personal emergency response system.

5 c. Support for community living, including but not limited
6 to all of the following:

- 7 (1) Home health aide.
- 8 (2) Home and vehicle modifications.
- 9 (3) Respite.
- 10 (4) Supportive community living.

11 d. Support for employment or for activities leading to
12 employment providing an appropriate match with the child's or
13 youth's abilities based upon informed, person-centered choices
14 made from an array of options, including but not limited to all
15 of the following:

- 16 (1) Day habilitation.
- 17 (2) Job development.
- 18 (3) Supported employment.
- 19 (4) Prevocational services.

20 e. Recovery services, including but not limited to all of
21 the following:

- 22 (1) Family support.
- 23 (2) Peer support.

24 f. Service coordination including coordinating physical
25 health and primary care, including but not limited to all of
26 the following:

- 27 (1) Case management.
- 28 (2) Health homes.

29 5. A region shall ensure that access is available to

30 providers of core services that demonstrate competencies
 31 necessary for all of the following:
 32 a. Serving children and youth with co-occurring conditions.
 33 b. Providing evidence-based services.
 34 c. Providing trauma-informed care that recognizes the
 35 presence of trauma symptoms in children and youth receiving

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1 services.>
 2 2. Page 1, after line 35 by inserting:
 3 <Sec. ___. Section 331.396, subsection 1, paragraph d, Code
 4 2018, is amended by striking the paragraph.
 5 Sec. ___. Section 331.396, subsection 2, paragraph d, Code
 6 2018, is amended by striking the paragraph.
 7 Sec. ___.DEPARTMENT OF HUMAN SERVICES — TRANSFER OF MENTAL
 8 HEALTH AND DISABILITY SERVICES REGIONS TO THE DEPARTMENT OF
 9 PUBLIC HEALTH.
 10 1. Beginning July 1, 2018, the director of human services
 11 shall work with the director of public health to transfer the
 12 duties of the department of human services regarding the mental
 13 health and disability services regions to the department of
 14 public health effective July 1, 2019.
 15 2. Any contract entered into by the department of human
 16 services in matters related to the mental health and disability
 17 services regions in effect at the conclusion of the fiscal year
 18 beginning July 1, 2018, shall continue in full force and effect
 19 pending transfer of such contracts to the department of public
 20 health.
 21 3. Any rule, regulation, form, order, or directive
 22 promulgated by the department of human services regarding the
 23 mental health and disability services regions in existence at
 24 the conclusion of the fiscal year beginning July 1, 2018, shall
 25 continue in full force and effect until amended, repealed, or
 26 supplemented by affirmative action of the department of public
 27 health.
 28 4. With regard to updating references and format in the Iowa
 29 administrative code in order to correspond to the transferring
 30 of the duties related to the mental health and disability
 31 services region from the department of human services to
 32 the department of public health, the administrative rules
 33 coordinator and the administrative rules review committee, in
 34 consultation with the administrative code editor, shall jointly
 35 develop a schedule for the necessary updating of the Iowa

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1 administrative code.
 2 5. The director of human services, in cooperation with the
 3 director of public health, pursuant to section 2.16, shall
 4 prepare draft legislation for submission to the legislative
 5 services agency, as necessary, for consideration by the general

- 6 assembly during the 2019 legislative session, necessary to
7 complete the transfer of its duties related to the mental
8 health and disability services regions to the department of
9 public health effective July 1, 2019.>
- 10 3. Title page, line 1, after <Act> by inserting <relating to
11 child and adult services and safety by>
- 12 4. Title page, line 3, after <buildings> by inserting <, and
13 by providing for other related services including mental health
14 and disability services>
- 15 5. By renumbering as necessary.

MASCHER of Johnson

H-8302

- 1 Amend Senate File 2364, as amended, passed, and reprinted by
2 the Senate, as follows:
- 3 1. Page 1, before line 1 by inserting:
4 <Section 1.**NEW SECTION. 80.46 School safety hotline,**
5 **internet site, and mobile internet application — penalty.**
- 6 1. For purposes of this section, *“threat to school safety”*
7 means a threat of harassment or bullying as defined in section
8 280.28, suicide or self-harm, or violence against others.
- 9 2. The department shall establish a statewide, toll-free
10 telephone hotline, internet site, and mobile internet
11 application for the purpose of receiving reports from the
12 public regarding threats or possible threats to school
13 safety in this state. The hotline, internet site, and
14 application shall include means for receiving anonymous reports
15 which ensure that the identity of an individual making a
16 report cannot be determined by the department or any other
17 person. The department may consult the office of the chief
18 information officer in the development of the internet site
19 and application. The department shall refer all reports
20 received through the hotline, internet site, and application
21 to appropriate school and local law enforcement personnel
22 and service providers. Such reports shall be confidential
23 and shall not be a public record subject to disclosure under
24 chapter 22.
- 25 3. The department shall advertise the hotline, internet
26 site, and application through the use of public service
27 announcements and other appropriate means. The department
28 shall publicize the hotline, internet site, and application in
29 all schools in this state through written materials and other
30 appropriate means.
- 31 4. The department shall annually publish on the
32 department’s internet site information on the disposition of
33 each report received through the hotline, internet site, and
34 application. Such publication shall not include personally
35 identifying information of an individual who made a report or

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1 who was the subject of a report.
 2 5. In consultation with behavioral health care providers,
 3 the department shall adopt rules pursuant to chapter 17A to
 4 establish and operate the hotline, internet site, and internet
 5 application. The rules shall include but are not limited to
 6 the following:
 7 a. Provisions that protect the identity of an individual
 8 reporting information without compromising opportunities
 9 for follow-up contact from school and local law enforcement
 10 personnel and service providers to provide further information
 11 to or obtain further information from the individual.
 12 b. Written policies and procedures for all of the following:
 13 (1) Logging reports received on the hotline, internet site,
 14 and internet application.
 15 (2) Verifying the authenticity and validity of a threat or
 16 possible threat to student safety.
 17 (3) Relaying information concerning a threat or possible
 18 threat to student safety to appropriate school and local law
 19 enforcement personnel and service providers.
 20 (4) Connecting the hotline with other hotlines that
 21 are available to receive reports of violence or for crisis
 22 prevention.
 23 (5) Tracking referrals to appropriate school and local
 24 law enforcement personnel and service providers resulting
 25 from information received on the hotline, internet site, and
 26 internet application and tracking the outcome of any action
 27 taken in response to the referral.
 28 6. An individual who makes a report on the hotline, internet
 29 site, or internet application for a purpose other than to
 30 report a situation that the individual reasonably believes
 31 requires prompt action in order to preserve human life or
 32 property commits a simple misdemeanor.>
 33 2. Page 1, after line 35 by inserting:
 34 <Sec. __.IMPLEMENTATION. The department shall not
 35 implement a telephone hotline, internet site, and mobile

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1 internet pursuant to section 80.46, as enacted by this Act,
 2 until the rules required by section 80.46, subsection 5, as
 3 enacted by this Act, have become effective.>
 4 3. Title page, line 3, after <buildings> by inserting
 5 <providing for the establishment of a school safety hotline,
 6 internet site, and mobile internet application, and providing
 7 penalties>
 8 4. By renumbering as necessary.

HUNTER of Polk
 ANDERSON of Polk
 BENNETT of Linn

ABDUL-SAMAD of Polk
 BEARINGER of Fayette
 BRECKENRIDGE of Jasper

BROWN-POWERS of Black Hawk	COHOON of Des Moines
HALL of Woodbury	P. MILLER of Jefferson
HEDDENS of Story	KACENA of Woodbury
KEARNS of Lee	KRESSIG of Black Hawk
MASCHER of Johnson	McCONKEY of Pottawattamie
FORBES of Polk	H. MILLER of Webster
NIELSEN of Johnson	OLDSON of Polk
OLSON of Polk	OURTH of Warren
PRICHARD of Floyd	RUNNING-MARQUARDT of Linn
M. SMITH of Marshall	R. SMITH of Black Hawk
STAED of Linn	STECKMAN of Cerro Gordo
T. TAYLOR of Linn	THEDE of Scott
WESSEL-KROESCHELL of Story	WINCKLER of Scott
WOLFE of Clinton	GAINES of Polk
GASKILL of Wapello	KURTH of Scott
LENSING of Johnson	

H-8303

- 1 Amend Senate File 2349, as passed by the Senate, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1.NEW SECTION. **505.20 Certain organizations**
5 **exempt from regulation.**
6 1. A health benefit plan, sponsored by an eligible
7 organization domiciled in this state that meets the
8 requirements set forth in subsection 2, shall be deemed to
9 not be insurance pursuant to this subtitle and shall not be
10 subject to the jurisdiction of the commissioner of insurance
11 to the extent such health benefit plan, after January 1, 2019,
12 provides health benefits under a self-funded arrangement that
13 is administered by an eligible third-party administrator that
14 meets the requirements set forth in subsection 3.
15 2. An eligible organization providing a health benefit
16 plan to its members under this section shall meet all of the
17 following requirements:
18 a. Provide membership opportunities for eligible
19 individuals.
20 b. Collect annual dues from members.
21 c. Hold regular meetings to further the purposes of the
22 members.
23 d. Provide members with representation on the organization's
24 governing board and committees.
25 e. Provide education, mentoring, or financial assistance.
26 f. Contract with an eligible third-party administrator that
27 meets the requirements set forth in subsection 3 to administer
28 the health benefit plan. The contract with the eligible
29 third-party administrator shall provide that the eligible
30 third-party administrator shall not be responsible for paying
31 any claims under the health benefit plan that are not funded
32 by the eligible organization.
33 3. An eligible third-party administrator administering a

34 self-funded arrangement under this section shall meet all of
 35 the following requirements:

PAGE 2

1 a. Register as a third-party administrator pursuant to
 2 chapter 510.

3 b. Offer individual health insurance products either
 4 directly or through an affiliate organization.

5 4. Prior to providing a health benefit plan to its
 6 members under this section an eligible organization shall
 7 file a certification with the commissioner that the eligible
 8 organization meets all requirements of this section.

9 5. The commissioner shall ensure expedited processing of
 10 a third-party administrator registration pursuant to chapter
 11 510 for a third-party administrator administering a self-funded
 12 arrangement under this section.

13 Sec. 2. Section 507A.4, subsection 9, Code 2018, is amended
 14 to read as follows:

15 9.a. Transactions involving a multiple employer welfare
 16 arrangement, as defined in section 3 of the federal Employee
 17 Retirement Income Security Act of 1974, 29 U.S.C. §1002,
 18 paragraph 40, if the multiple employer welfare arrangement
 19 meets all of the following conditions:

20 (1) The arrangement is administered by an authorized
 21 insurer or an authorized third-party administrator.

22 ~~(2) The arrangement has been in existence and provided~~
 23 ~~health insurance in Iowa for at least five years prior to July~~
 24 ~~1, 1997.~~

25 ~~(3) (2) The arrangement was is established by a trade,~~
 26 ~~industry, or professional association of employers that~~
 27 ~~has a constitution or bylaws, and has been is organized and~~
 28 ~~maintained in good faith for at least ten continuous years~~
 29 ~~prior to July 1, 1997 with membership stability as defined by~~
 30 ~~rules adopted by the commissioner.~~

31 ~~(4) (3) The arrangement registers with and obtains~~
 32 ~~and maintains a certificate of registration issued by the~~
 33 ~~commissioner of insurance.~~

34 ~~(5) (4) The arrangement is subject to the jurisdiction~~
 35 ~~of the commissioner of insurance, including regulatory~~

PAGE 3

1 ~~oversight and complies with all rules and solvency standards as~~
 2 ~~established by rules adopted by the commissioner of insurance~~
 3 ~~pursuant to chapter 17A.~~

4 b. A multiple employer welfare arrangement ~~registered with~~
 5 ~~the commissioner of insurance that does not meet the solvency~~
 6 ~~standards requirements established by rule adopted by the~~
 7 ~~commissioner of insurance is pursuant to chapter 17A shall be~~
 8 ~~subject to chapter 507C.~~

9 c. A multiple employer welfare arrangement that is

10 recognized as tax-exempt under Internal Revenue Code section
 11 501(c)(9) and that meets all of the conditions of paragraph "a"
 12 shall not be considered any of the following:

13 (1) An insurance company or association of any kind or
 14 character under section 432.1.

15 (2) A member of the Iowa individual health benefit
 16 reinsurance association under section 513C.10.

17 (3) A member insurer of the Iowa life and health insurance
 18 guaranty association under section 508C.5, subsection 12.

19 d. A multiple employer welfare arrangement registered with
 20 the commissioner of insurance shall file with the commissioner
 21 of insurance on or before March 1 of each year a copy of the
 22 report required to be filed by the multiple employer welfare
 23 arrangement with the United States department of labor pursuant
 24 to 29 C.F.R. §2520.101-2. A newly formed multiple employer
 25 welfare arrangement shall file with the commissioner a copy
 26 of the report required to be filed pursuant to 29 C.F.R.
 27 §2520.101-2 by a newly formed multiple employer welfare
 28 arrangement with the United States department of labor thirty
 29 days prior to operating in any state. The copy shall be filed
 30 with the commissioner within thirty calendar days of the date
 31 that the multiple employer welfare arrangement files the report
 32 with the United States department of labor.

33 e. When not otherwise provided, a A foreign or domestic
 34 multiple employer welfare arrangement doing business in this
 35 state shall pay to the commissioner of insurance the fees

PAGE 4

1 as required in pursuant to section 511.24 unless otherwise
 2 provided by law.

3 Sec. 3. Section 509.1, Code 2018, is amended by adding the
 4 following new subsection:

5 **NEW SUBSECTION. 8A.** A policy of group health insurance
 6 coverage issued to an associated health plan pursuant
 7 to section 513D.1 that is subject to regulation by the
 8 commissioner.

9 Sec. 4. Section 509.1, subsection 9, unnumbered paragraph
 10 1, Code 2018, is amended to read as follows:

11 A policy issued to a resident of this state under a group
 12 life, accident, or health insurance policy issued to a group
 13 other than one described in subsections 1 through 8 **8A**, subject
 14 to the following requirements:

15 Sec. 5.**NEW SECTION. 513D.1 Association health plans.**

16 The commissioner shall adopt rules that allow for the
 17 creation of association health plans that are consistent with
 18 the United States department of labor's regulations in 29
 19 C.F.R. pt. 2510. A multiple employer welfare arrangement that
 20 is recognized as tax-exempt under Internal Revenue Code section
 21 501(c)(9) and that is registered with the commissioner prior
 22 to January 1, 2018, shall not be considered an association
 23 health plan unless the multiple employer welfare arrangement

24 affirmatively elects to be treated as an association health
 25 plan.
 26 Sec. 6. NEW SECTION. 513D.2 Rules and enforcement.
 27 1. The commissioner shall adopt rules, as necessary,
 28 pursuant to chapter 17A to administer this chapter.
 29 2. The commissioner may take any enforcement action under
 30 the commissioner's authority to enforce compliance with this
 31 chapter.>
 32 2. Title page, by striking lines 1 through 3 and inserting
 33 <An Act relating to health plans established by associations of
 34 employers or sponsored by certain organizations.>
 35 3. By renumbering as necessary.

PETTENGILL of Benton

H-8304

1 Amend the amendment, H-8303, to Senate File 2349, as passed
 2 by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 4, line 35, and
 4 inserting:
 5 <Amend Senate File 2349, as passed by the Senate, as follows:
 6 _____. By striking everything after the enacting clause and
 7 inserting:
 8 <Section 1. Section 507A.4, subsection 9, Code 2018, is
 9 amended to read as follows:
 10 9.a. Transactions involving a multiple employer welfare
 11 arrangement, as defined in section 3 of the federal Employee
 12 Retirement Income Security Act of 1974, 29 U.S.C. §1002,
 13 paragraph 40, if the multiple employer welfare arrangement
 14 meets all of the following conditions:
 15 (1) The arrangement is administered by an authorized
 16 insurer or an authorized third-party administrator.
 17 (2) ~~The arrangement has been in existence and provided~~
 18 ~~health insurance in Iowa for at least five years prior to July~~
 19 ~~1, 1997.~~
 20 (3) (2) The arrangement ~~was~~ is established by a trade,
 21 industry, or professional association of employers that
 22 has a constitution or bylaws, and ~~has been~~ is organized and
 23 maintained in good faith ~~for at least ten continuous years~~
 24 ~~prior to July 1, 1997 with membership stability as defined by~~
 25 ~~rules adopted by the commissioner.~~
 26 (4) (3) The arrangement registers with and obtains
 27 ~~and maintains~~ a certificate of registration issued by the
 28 commissioner ~~of insurance.~~
 29 (5) (4) The arrangement is subject to the jurisdiction
 30 of the commissioner ~~of insurance, including regulatory~~
 31 ~~oversight and complies with all rules~~ and solvency standards as
 32 established ~~by rules adopted by the commissioner of insurance~~
 33 pursuant to chapter 17A.
 34 b. A multiple employer welfare arrangement ~~registered with~~

35 ~~the commissioner of insurance~~ that does not meet the solvency

PAGE 2

1 ~~standards requirements~~ established by ~~rule adopted by the~~
 2 ~~commissioner of insurance~~ is pursuant to chapter 17A shall be
 3 subject to chapter 507C.

4 c. A multiple employer welfare arrangement that meets all
 5 of the conditions of paragraph "a" shall not be considered any
 6 of the following:

7 (1) An insurance company or association of any kind or
 8 character under section 432.1.

9 (2) A member of the Iowa individual health benefit
 10 reinsurance association under section 513C.10.

11 (3) A member insurer of the Iowa life and health insurance
 12 guaranty association under section 508C.5, subsection 12.

13 d. A multiple employer welfare arrangement registered with
 14 the commissioner of insurance shall file with the commissioner
 15 of insurance on or before March 1 of each year a copy of the
 16 report required to be filed by the multiple employer welfare
 17 arrangement with the United States department of labor pursuant
 18 to 29 C.F.R. §2520.101-2. A newly formed multiple employer
 19 welfare arrangement shall file with the commissioner a copy
 20 of the report required to be filed pursuant to 29 C.F.R.
 21 §2520.101-2 by a newly formed multiple employer welfare
 22 arrangement with the United States department of labor thirty
 23 days prior to operating in any state. The copy shall be filed
 24 with the commissioner within thirty calendar days of the date
 25 that the multiple employer welfare arrangement files the report
 26 with the United States department of labor.

27 e. ~~When not otherwise provided, a~~ foreign or domestic
 28 multiple employer welfare arrangement doing business in this
 29 state shall pay ~~to the commissioner of insurance~~ the fees
 30 as required in pursuant to section 511.24 unless otherwise
 31 provided by law.

32 Sec. 2. Section 509.1, Code 2018, is amended by adding the
 33 following new subsection:

34 NEW SUBSECTION. 8A. A policy of group health insurance
 35 coverage issued to an associated health plan pursuant

PAGE 3

1 to section 513D.1 that is subject to regulation by the
 2 commissioner.

3 Sec. 3. Section 509.1, subsection 9, unnumbered paragraph
 4 1, Code 2018, is amended to read as follows:

5 A policy issued to a resident of this state under a group
 6 life, accident, or health insurance policy issued to a group
 7 other than one described in subsections 1 through 8 8A, subject
 8 to the following requirements:

9 Sec. 4. NEW SECTION. 513D.1 Association health plans.

10 The commissioner shall adopt rules that allow for the

11 creation of association health plans that are consistent with
 12 the United States department of labor's regulations in 29
 13 C.F.R. pt. 2510. An association health plan created pursuant
 14 to this chapter shall comply with chapter 514C and shall not
 15 deny, exclude, or limit benefits for a member based on a
 16 member's preexisting condition.

17 Sec. 5.NEW SECTION. 513D.2 Rules and enforcement.

18 1. The commissioner shall adopt rules, as necessary,
 19 pursuant to chapter 17A to administer this chapter.

20 2. The commissioner may take any enforcement action under
 21 the commissioner's authority to enforce compliance with this
 22 chapter and chapter 514C.>>

OLDSON of Polk

H-8305

1 Amend Senate File 2349, as passed by the Senate, as follows:

2 1. Page 1, line 32, after <arrangement> by inserting <that
 3 is recognized as tax-exempt under Internal Revenue Code section
 4 501(c)(9) and>

5 2. Page 3, line 6, after <pt. 2510.> by inserting <A
 6 multiple employer welfare arrangement that is recognized as
 7 tax-exempt under Internal Revenue Code section 501(c)(9) and
 8 that is registered with the commissioner prior to January 1,
 9 2018, shall not be considered an association health plan unless
 10 the multiple employer welfare arrangement affirmatively elects
 11 to be treated as an association health plan.>

12 3. Page 3, by striking lines 13 through 20.

PETTENGILL of Benton

H-8306

1 Amend Senate File 2311, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. By striking page 17, line 15, through page 18, line 34.

4 2. By renumbering as necessary.

VANDER LINDEN of Mahaska

H-8307

1 Amend Senate File 2347, as passed by the Senate, as follows:

2 1. Page 2, by striking lines 20 through 24 and inserting:

3 < 2. A person who violates any of the provisions of this
 4 section commits the following:

5 a. For a first offense, a simple misdemeanor.

6 b. For a second or subsequent offense, a serious
 7 misdemeanor.>

SEXTON of Calhoun

H-8308

- 1 Amend Senate File 2347, as passed by the Senate, as follows:
 2 1. Page 1, line 22, after <liters> by inserting <per
 3 calendar month>
 4 2. Page 2, by striking lines 20 through 24 and inserting:
 5 <2. A person who violates any of the provisions of this
 6 section commits the following:
 7 a. For a first offense, a simple misdemeanor.
 8 b. For a second or subsequent offense, a serious
 9 misdemeanor.>

SEXTON of Calhoun

H-8309

- 1 Amend Senate File 361, as passed by the Senate, as follows:
 2 1. Page 1, after line 27 by inserting:
 3 <2A.a. If a parent, guardian, or legal custodian executes
 4 a power of attorney under this chapter, the parent, guardian,
 5 or legal custodian shall, no later than seven days after
 6 executing the power of attorney, provide all of the following
 7 to the clerk of the probate court:
 8 (1) Notification that a power of attorney has been executed.
 9 (2) A copy of the power of attorney.
 10 (3) The name, address, and telephone number of the agent
 11 appointed.
 12 b. Failure to comply with the provisions of paragraph "a"
 13 renders the protections provided in subsection 6 inapplicable.>
 14 2. By renumbering, redesignating, and correcting internal
 15 references as necessary.

OLSON of Polk

H-8310

- 1 Amend House File 2475 as follows:
 2 1. Page 1, after line 33 by inserting:
 3 <Sec. __.EFFECTIVE DATE. This Act, being deemed of
 4 immediate importance, takes effect upon enactment.>
 5 2. Title page, line 2, after <gifts> by inserting <and
 6 including effective date provisions>
 7 3. By renumbering as necessary.

PETTENGILL of Benton

H-8311

- 1 Amend Senate File 2318, as passed by the Senate, as follows:
 2 1. Page 1, line 3, after <(1)> by inserting <(a)>
 3 2. Page 1, by striking lines 7 and 8 and inserting <unit
 4 of instruction at a school accredited under section 256.11 has
 5 satisfactorily>

6 3. Page 1, by striking lines 12 through 17 and inserting
 7 <school credit for the unit to the student.
 8 (b) A school district or accredited nonpublic school may
 9 grant credit to a student who completed a high school-level
 10 unit of instruction in another state or in a school not
 11 accredited under section 256.11. However, the school district
 12 or accredited nonpublic school may deny credit for the unit of
 13 instruction if the student is unable to demonstrate proficiency
 14 in the subject matter or if the school district or accredited
 15 nonpublic school determines the coursework completed by the
 16 student does not meet the state or local standards. If a
 17 school district or accredited nonpublic school denies credit
 18 under this subparagraph division (b), the school district or
 19 accredited nonpublic school shall provide notice of the denial,
 20 citing specific reasons for the denial, in writing to the
 21 parent or guardian of the student.>

GASSMAN of Winnebago

H-8312

1 Amend Senate Joint Resolution 2006, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 2, after <appointment> by inserting <,
 4 subject to confirmation by a majority vote of the members of
 5 each house of the general assembly>

STECKMAN of Cerro Gordo

H-8313

1 Amend Senate File 359, as passed by the Senate, as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1.NEW SECTION. 146C.1 Legislative findings and
 5 intent.
 6 1. The general assembly finds all of the following:
 7 a. Abortion carries significant physical and psychological
 8 risks to the pregnant woman, and these physical and
 9 psychological risks increase exponentially with the
 10 postfertilization age of the unborn child.
 11 b. As the second trimester of a pregnancy progresses, in the
 12 vast majority of uncomplicated pregnancies, the health risks to
 13 the pregnant woman of undergoing an abortion are greater than
 14 the risks of carrying a pregnancy to term.
 15 c. Medical complications from dilation and evacuation
 16 abortions include but are not limited to pelvic infection;
 17 incomplete abortions and retained tissue; blood clots; heavy
 18 bleeding or hemorrhage; laceration, tear, or other injury to
 19 the cervix; puncture, laceration, tear, or other injury to the
 20 uterus; injury to the bowel or bladder; depression; anxiety;
 21 substance abuse; and other emotional or psychological problems.

22 Further, in abortions performed in the second trimester, there
23 is a higher risk of requiring a hysterectomy, other reparative
24 surgery, or blood transfusion.

25 *d.* The state of Iowa has legitimate interests from the
26 outset of pregnancy in protecting the health of women, as the
27 medical, emotional, and psychological consequences of abortion
28 are serious and can be lasting.

29 2. Based upon the findings specified in subsection 1, it is
30 the intent of the general assembly through application of this
31 chapter to restrict the practice of nontherapeutic or elective
32 abortion to the period prior to the unborn child achieving the
33 postfertilization age of fifteen weeks.

34 Sec. 2. NEW SECTION. **146C.2 Definitions.**

35 As used in this chapter, unless the context otherwise

PAGE 2

1 requires:

2 1. “*Abortion*” means the termination of a human pregnancy
3 with the intent other than to produce a live birth or to remove
4 a dead fetus.

5 2. “*Attempt to perform an abortion*” means an act, or
6 an omission of a statutorily required act, that, under the
7 circumstances as the actor believes them to be, constitutes a
8 substantial step in a course of conduct planned to culminate in
9 the performing of an abortion.

10 3. “*Department*” means the department of public health.

11 4. “*Fertilization*” means the fusion of a human spermatozoon
12 with a human ovum.

13 5. “*Major bodily function*” includes but is not limited
14 to functions of the immune system, normal cell growth, and
15 digestive, bowel, bladder, neurological, brain, respiratory,
16 circulatory, endocrine, and reproductive functions.

17 6. “*Medical emergency*” means a situation in which an
18 abortion is performed to preserve the life of the pregnant
19 woman whose life is endangered by a physical disorder, physical
20 illness, or physical injury, including a life-endangering
21 physical condition caused by or arising from the pregnancy, or
22 when continuation of the pregnancy will create a serious risk
23 of substantial and irreversible impairment of a major bodily
24 function of the pregnant woman.

25 7. “*Medical facility*” means any public or private hospital,
26 clinic, center, medical school, medical training institution,
27 health care facility, physician’s office, infirmary,
28 dispensary, ambulatory surgical center, or other institution or
29 location where medical care is provided to any person.

30 8. “*Perform*”, “*performed*”, or “*performing*”, relative to an
31 abortion, means the use of any means, including medical or
32 surgical, to terminate the pregnancy of a woman known to be
33 pregnant with the intent other than to produce a live birth or
34 to remove a dead fetus.

35 9. “*Physician*” means a person licensed under chapter 148.

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1 10. "*Postfertilization age*" means the age of the unborn
2 child as calculated from fertilization.

3 11. "*Probable postfertilization age*" means what, in
4 reasonable medical judgment, will with reasonable probability
5 be the postfertilization age of the unborn child at the time
6 the abortion is to be performed.

7 12. "*Reasonable medical judgment*" means a medical judgment
8 made by a reasonably prudent physician who is knowledgeable
9 about the case and the treatment possibilities with respect to
10 the medical conditions involved.

11 13. "*Severe fetal abnormality*" means a life-threatening
12 physical condition that, in the physician's reasonable medical
13 judgment, regardless of the provision of life-saving medical
14 treatment, is incompatible with life outside the womb.

15 14. "*Unborn child*" means an individual organism of the
16 species homo sapiens from fertilization to live birth.

17 **Sec. 3. NEW SECTION. 146C.3 Determination of**
18 **postfertilization age — certain abortions prohibited —**
19 **exceptions — reporting requirements — penalties.**

20 1. Except in the case of a medical emergency or a
21 severe fetal abnormality, in addition to compliance with
22 the prerequisites of chapter 146A, an abortion shall not be
23 performed or be attempted to be performed unless the physician
24 performing the abortion has first made a determination of the
25 probable postfertilization age of the unborn child or relied
26 upon such a determination made by another physician. In making
27 such a determination, a physician shall make such inquiries
28 of the pregnant woman and perform or cause to be performed
29 such medical examinations and tests the physician considers
30 necessary in making a reasonable medical judgment to accurately
31 determine the postfertilization age of the unborn child.

32 2.a. A physician shall not perform or attempt to perform
33 an abortion upon a pregnant woman when it has been determined,
34 by the physician performing the abortion or by another
35 physician upon whose determination that physician relies, that

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1 the probable postfertilization age of the unborn child is
2 fifteen or more weeks unless, in the physician's reasonable
3 medical judgment, any of the following applies:

4 (1) The pregnant woman has a condition which the physician
5 deems a medical emergency.

6 (2) The abortion is necessary to preserve the life of an
7 unborn child.

8 (3) The unborn child is afflicted with a severe fetal
9 abnormality.

10 b. If an abortion is performed under this subsection, the
11 physician shall terminate the pregnancy in the manner which,

12 in the physician's reasonable medical judgment, provides the
13 best opportunity for an unborn child to survive, unless, in the
14 physician's reasonable medical judgment, termination of the
15 pregnancy in that manner would pose a greater risk than any
16 other available method of the death of the pregnant woman or
17 of the substantial and irreversible physical impairment of a
18 major bodily function. A greater risk shall not be deemed to
19 exist if it is based on a claim or diagnosis that the pregnant
20 woman will engage in conduct which would result in the pregnant
21 woman's death or in substantial and irreversible physical
22 impairment of a major bodily function.

23 3. A physician who performs or attempts to perform an
24 abortion shall report to the department, on a schedule and in
25 accordance with forms and rules adopted by the department, all
26 of the following:

27 a. If a determination of probable postfertilization age of
28 the unborn child was made, the probable postfertilization age
29 determined and the method and basis of the determination.

30 b. If a determination of probable postfertilization age of
31 the unborn child was not made, the basis of the determination
32 that a medical emergency existed or that the unborn child was
33 afflicted with a severe fetal abnormality.

34 c. If the probable postfertilization age of the unborn
35 child was determined to be fifteen or more weeks, the basis

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1 of the determination of a medical emergency, the basis of the
2 determination that the unborn child was afflicted with a severe
3 fetal abnormality, or the basis of the determination that the
4 abortion was necessary to preserve the life of an unborn child.

5 d. The method used for the abortion and, in the case of
6 an abortion performed when the probable postfertilization age
7 was determined to be fifteen or more weeks, whether the method
8 of abortion used was one that, in the physician's reasonable
9 medical judgment, provided the best opportunity for an unborn
10 child to survive or, if such a method was not used, the basis
11 of the determination that termination of the pregnancy in
12 that manner would pose a greater risk than would any other
13 available method of the death of the pregnant woman or of the
14 substantial and irreversible physical impairment of a major
15 bodily function.

16 4.a. By June 30, annually, the department shall issue a
17 public report providing statistics for the previous calendar
18 year, compiled from the reports for that year submitted in
19 accordance with subsection 3. The department shall ensure that
20 none of the information included in the public reports could
21 reasonably lead to the identification of any woman upon whom an
22 abortion was performed.

23 b.(1) A physician who fails to submit a report by the end
24 of thirty days following the due date shall be subject to a
25 late fee of one hundred dollars for each additional thirty-day

26 period or portion of a thirty-day period the report is overdue.
 27 (2) A physician required to report in accordance with
 28 subsection 3 who has not submitted a report or who has
 29 submitted only an incomplete report more than one year
 30 following the due date, may, in an action brought in the
 31 manner in which actions are brought to enforce chapter 148,
 32 be directed by a court of competent jurisdiction to submit a
 33 complete report within a time period stated by court order or
 34 be subject to contempt of court.
 35 (3) A physician who intentionally or recklessly falsifies

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1 a report required under this section is subject to a civil
 2 penalty of five hundred dollars.
 3 5. Any medical facility in which a physician is authorized
 4 to perform an abortion shall implement written medical
 5 policies and procedures consistent with the requirements and
 6 prohibitions of this chapter.
 7 6. The department shall adopt rules to implement this
 8 section.
 9 **Sec. 4. NEW SECTION. 146C.4 Civil actions and penalties.**
 10 1. Failure of a physician to comply with any provision of
 11 section 146C.3, with the exception of the late filing of a
 12 report or failure to submit a complete report in compliance
 13 with a court order, is grounds for licensee discipline under
 14 chapter 148.
 15 2. A woman upon whom an abortion has been performed in
 16 violation of this chapter may maintain an action against the
 17 physician who performed the abortion in intentional or reckless
 18 violation of this chapter for actual damages.
 19 3. A woman upon whom an abortion has been attempted in
 20 violation of this chapter may maintain an action against the
 21 physician who attempted the abortion in intentional or reckless
 22 violation of this chapter for actual damages.
 23 4. A cause of action for injunctive relief to prevent a
 24 physician from performing abortions may be maintained against a
 25 physician who has intentionally violated this chapter by the
 26 woman upon whom the abortion was performed or attempted, by
 27 a parent or guardian of the woman if the woman is less than
 28 eighteen years of age at the time the abortion was performed
 29 or attempted, by a current or former licensed health care
 30 provider of the woman, by a county attorney with appropriate
 31 jurisdiction, or by the attorney general.
 32 5. If the plaintiff prevails in an action brought under
 33 this section, the plaintiff shall be entitled to an award for
 34 reasonable attorney fees.
 35 6. If the defendant prevails in an action brought under

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1 this section and the court finds that the plaintiff's suit was

2 frivolous and brought in bad faith, the defendant shall be
 3 entitled to an award for reasonable attorney fees.
 4 7. Damages and attorney fees shall not be assessed against
 5 the woman upon whom an abortion was performed or attempted
 6 except as provided in subsection 6.
 7 8. In a civil proceeding or action brought under this
 8 chapter, the court shall rule whether the anonymity of any
 9 woman upon whom an abortion has been performed or attempted
 10 shall be preserved from public disclosure if the woman does not
 11 provide consent to such disclosure. The court, upon motion
 12 or on its own motion, shall make such a ruling and, upon
 13 determining that the woman's anonymity should be preserved,
 14 shall issue orders to the parties, witnesses, and counsel
 15 and shall direct the sealing of the record and exclusion of
 16 individuals from courtrooms or hearing rooms to the extent
 17 necessary to safeguard the woman's identity from public
 18 disclosure. Each such order shall be accompanied by specific
 19 written findings explaining why the anonymity of the woman
 20 should be preserved from public disclosure, why the order is
 21 essential to that end, how the order is narrowly tailored to
 22 serve that interest, and why no reasonable less restrictive
 23 alternative exists. In the absence of written consent of the
 24 woman upon whom an abortion has been performed or attempted,
 25 anyone, other than a public official, who brings an action
 26 under this section shall do so under a pseudonym. This
 27 subsection shall not be construed to conceal the identity
 28 of the plaintiff or of witnesses from the defendant or from
 29 attorneys for the defendant.
 30 9. This chapter shall not be construed to impose civil
 31 or criminal liability on a woman upon whom an abortion is
 32 performed or attempted.
 33 Sec. 5.EFFECTIVE DATE. This Act, being deemed of immediate
 34 importance, takes effect upon enactment.>
 35 2. Title page, lines 1 and 2, by striking <fetal body parts

PAGE 8

1 and providing penalties.> and inserting <an unborn child,
 2 providing penalties, and including effective date provisions.>
 3 3. By renumbering as necessary.

RIZER of Linn

H-8314

1 Amend the Senate amendment, H-8264, to House File 2234, as
 2 passed by the House, as follows:
 3 1. Page 1, after line 1 by inserting:
 4 <__. Page 1, after line 32 by inserting:
 5 <Sec. __. Section 615.1A, Code 2018, is amended to read as
 6 follows:
 7 **615.1A Execution on judgment — claim for rent.**

- 8 After the expiration of a period of five ten years from the
 9 date of entry of judgment of a court not of record, or twenty
 10 years from the date of entry of judgment of a court of record,
 11 in an action on a claim for rent, exclusive of any time during
 12 which execution on the judgment was stayed pending a bankruptcy
 13 action or order of court, such judgment shall be null and void,
 14 all liens shall be extinguished, and no execution shall be
 15 issued. However, in the event that the judgment or the right
 16 to collect thereon is sold or otherwise assigned for value to
 17 a third party other than a state or federally chartered bank
 18 or credit union, such judgment shall be null and void, all
 19 liens shall be extinguished, and no execution shall be issued
 20 after the expiration of two years from the date of entry of
 21 the judgment, exclusive of any time during which execution on
 22 the judgment was stayed pending a bankruptcy action or order
 23 of court.>>
- 24 2. Page 1, after line 15 by inserting:
 25 <__. Title page, line 3, after <property> by inserting <and
 26 relating to the statute of limitations period for executing
 27 judgments on claims for rent>>
- 28 3. By renumbering as necessary.

McKEAN of Jones

H-8315

- 1 Amend House File 2338, as passed by the House, as follows:
 2 1. Page 2, line 15, by striking <5, and 6,> and inserting
 3 <and 5,>
 4 2. Page 6, by striking lines 13 through 26.
 5 3. Page 10, by striking lines 22 through 25 and inserting:
 6 <e. This subsection does not apply to a person whose license
 7 was revoked under section 321J.2A ~~or section 321J.4, subsection~~
 8 ~~4 or 6,~~ to a person whose license was revoked under section
 9 321J.4, subsection 6, for the period during which the person is
 10 ineligible for a temporary restricted license, or to a person
 11 whose license is suspended or revoked for another reason.>
 12 4. By renumbering as necessary.

SENATE AMENDMENT

H-8316

- 1 Amend Senate File 2169, as passed by the Senate, as follows:
 2 1. Page 1, after line 30 by inserting:
 3 <Sec. __. Section 123.92, subsection 2, paragraph a, Code
 4 2018, is amended to read as follows:
 5 a. Every liquor control licensee, class "B" beer permittee,
 6 class "C" beer permittee, and class "C" native wine permittee,
 7 except a class "E" liquor control licensee, shall furnish proof
 8 of financial responsibility by the existence of a liability
 9 insurance policy in an amount determined by the division. If

10 an insurer provides dramshop liability insurance at a new
 11 location to a licensee or permittee who has a positive loss
 12 experience at other locations for which such insurance is
 13 provided by the insurer, and the insurer bases premium rates at
 14 the new location on the negative loss history of the previous
 15 licensee or permittee at that location, the insurer shall
 16 examine and consider adjusting the premium for the new location
 17 not less than thirty months after the insurance is issued,
 18 based on the loss experience of the licensee or permittee at
 19 that location during that thirty-month period of time.>
 20 2. Title page, line 2, after <injuries> by inserting <and
 21 requiring certain permittees to obtain liability insurance>
 22 3. By renumbering as necessary.

BAUDLER of Adair

H-8317

1 Amend the amendment, S-5179 to Senate File 2364, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 5 through 19 and inserting:
 4 <__. Page 1, by striking lines 31 through 33 and inserting
 5 <emergency operations plan be conducted in each individual
 6 school building in which students are educated. The board and
 7 authorities shall determine which school personnel participate
 8 in the drill and whether students or local law enforcement
 9 agencies participate in the drill. The drill may include but
 10 is not limited to a table top exercise, walk-through, partial
 11 drill, or full drill. This subsection shall not>>
 12 2. By renumbering as necessary.

SENATE AMENDMENT

H-8318

1 Amend Senate File 2353, as passed by the Senate, as follows:
 2 1. Page 1, line 16, by striking <subsections> and inserting
 3 <subsection>
 4 2. Page 1, by striking lines 30 through 32.
 5 3. Page 12, by striking lines 28 through 32.
 6 4. By renumbering, redesignating, and correcting internal
 7 references as necessary.

RUNNING-MARQUARDT of Linn

H-8319

1 Amend the amendment, H-8202, to Senate File 481, as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 16 by inserting:
 4 <__. Page 3, line 21, by striking <2018,> and inserting
 5 <2019,>>
 6 2. By renumbering as necessary.

HOLT of Crawford

H-8320

1 Amend Senate File 2235, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1.NEW SECTION. **716.11 Critical infrastructure**
6 **sabotage — definitions.**

7 Solely for purposes of this section and section 716.12,
8 unless the context otherwise requires:

9 1. “*Critical infrastructure*” means any of the following:

10 a. An electrical power generating, transmission, or delivery
11 system.

12 b. A gas, oil, petroleum, refined petroleum product,
13 renewable fuel, or chemical critical generation, storage
14 transportation, or delivery system.

15 c. A telecommunications or broadband generation,
16 transmission, or delivery system.

17 d. A wastewater treatment, collection, or delivery system.

18 e. A water supply treatment, collection, storage, or
19 delivery system.

20 f. Any land, building, conveyance, or other temporary or
21 permanent structure whether publicly or privately owned, that
22 contains, houses, supports, or is appurtenant to any critical
23 infrastructure as described in paragraphs “a” through “e” of
24 this subsection.

25 2. “*Critical infrastructure sabotage*” means an unauthorized
26 and overt act intended to cause and having the means to cause,
27 and in substantial furtherance of causing, a substantial
28 and widespread interruption or impairment of a fundamental
29 service rendered by the critical infrastructure. However,
30 “*critical infrastructure sabotage*” does not include an
31 accidental interruption or impairment of service to the
32 critical infrastructure caused by a person in the performance
33 of the person’s work duties or caused by a person’s lawful
34 activity. In addition, “*critical infrastructure sabotage*” does
35 not include any condition or activity related to the production

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1 of farm products as defined in section 554.9102, including
2 but not limited to the discharge of agricultural stormwater;
3 the construction or use of soil or water quality conservation
4 practices or structures; the preparation of agricultural land
5 and the raising, harvesting, drying, or storage of agricultural
6 crops; the application of fertilizer as defined in section
7 200.3, pesticides as defined in section 206.2, or manure
8 as defined in section 459.102; the installation and use of
9 agricultural drainage tile and systems; the construction,
10 operation, or management of an animal feeding operation as
11 defined in section 459.102; and the care, feeding, or watering
12 of livestock.

13 3. “*System*” means a set of connected or interdependent real,
 14 physical, personal, or electronic or computer-based property
 15 that operates as a whole to provide a service. “*System*” also
 16 includes any real, physical, electronic, or computer implement
 17 that may control or monitor any component of the system.

18 Sec. 2. NEW SECTION. 716.12 Critical infrastructure
 19 sabotage — penalties.

20 A person who commits critical infrastructure sabotage is
 21 guilty of a class “B” felony, and in addition to the provisions
 22 of section 902.9, subsection 1, paragraph “b”, shall be punished
 23 by a fine of not less than eighty-five thousand dollars nor
 24 more than one hundred thousand dollars.>

25 2. By renumbering as necessary.

WORTHAN of Buena Vista

H-8321

1 Amend Senate File 481, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 7, after line 18 by inserting:

4 <Sec. NEW SECTION. 825.12 Local enforcement of federal
 5 immigration law.

6 1. Notwithstanding any other provision of this chapter,
 7 a county, a city, or any agency or employee thereof shall
 8 engage in an action to enforce federal immigration law
 9 only if, pursuant to statute, regulation, or memorandum of
 10 understanding, all of the following conditions have been met:

11 a. A federal agency has agreed to fully reimburse a county
 12 or city for any expenditures, including legal costs, incurred
 13 through enforcement of federal immigration law by the county
 14 or city.

15 b. A federal agency has agreed to defend a county or city in
 16 the event of any legal action taken against the county or city
 17 as a result of enforcement of any federal immigration law, and
 18 to fully indemnify the county or city for any liability imposed
 19 in the course of such a legal action.

20 2. Subsection 1 does not apply to an action by a county, a
 21 city, or any agency or employee thereof to comply with a court
 22 order or federal arrest warrant.

23 3. A county or city may submit a claim for reimbursement
 24 of any expenditures, including legal costs, incurred through
 25 enforcement of federal immigration law to the department of
 26 management. The department of management shall adopt rules
 27 pursuant to chapter 17A relating to the reimbursement of
 28 counties and cities pursuant to this section, including but not
 29 limited to rules for all of the following:

30 a. Procedures for submission, verification, and payment of
 31 claims by counties and cities for reimbursement pursuant to
 32 this section.

33 b. Acceptable documentation of expenditures, including legal
 34 costs, incurred through enforcement of federal immigration law.

35 c. Appeal procedures for determinations made by the

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- 1 department pursuant to this section.>
- 2 2. By renumbering as necessary.

ISENHART of Dubuque

H-8322

1 Amend the amendment, H-8311, to Senate File 2318, as passed
 2 by the Senate, as follows:
 3 1. Page 1, by striking lines 2 through 21 and inserting:
 4 <__. By striking everything after the enacting clause and
 5 inserting:
 6 <Section 1. Section 256.7, subsection 26, paragraph a,
 7 subparagraph (1), Code 2018, is amended to read as follows:
 8 (1) The rules establishing high school graduation
 9 requirements shall ~~authorize a school district or accredited~~
 10 ~~nonpublic school to consider~~ provide that any student, at any
 11 grade level, who satisfactorily completes a high school-level
 12 unit of instruction at a school accredited under section
 13 256.11 has satisfactorily completed a unit of the high school
 14 graduation requirements for that area of instruction, and
 15 ~~shall authorize the school district or accredited nonpublic~~
 16 ~~school to~~ of enrollment shall issue high school credit for
 17 the unit to the student unless the student is unable to
 18 demonstrate proficiency or the school district or accredited
 19 nonpublic school determines that the course unit completed by
 20 the student does not meet the school district's or accredited
 21 nonpublic school's standards, as appropriate. If a student is
 22 denied credit under this subparagraph, the school district or
 23 accredited nonpublic school denying credit shall provide to
 24 the student's parent or guardian in writing the reason for the
 25 denial.>>

GASSMAN of Winnebago

H-8323

1 Amend House File 2297, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, line 20, after <inspection> by inserting <For
 4 purposes of this subsection, "dry lay-up" means a process
 5 whereby a boiler is taken out of service for a period of six
 6 months or longer, drained, dried, and cleaned, and measures to
 7 prevent corrosion are performed on the boiler.>

SENATE AMENDMENT

H-8324

1 Amend the Senate amendment, H-8264, to House File 2234, as
2 passed by the House, as follows:

3 1. Page 1, after line 1 by inserting:

4 <__. Page 1, after line 32 by inserting:

5 <Sec. __. Section 614.1, subsection 12, Code 2018, is
6 amended to read as follows:

7 12. *Sexual abuse or sexual exploitation by a counselor,*
8 *therapist, or school employee. An action for damages for*
9 *injury suffered as a result of sexual abuse, as defined in*
10 *section 709.1, by a counselor, therapist, or school employee,*
11 *as defined in section 709.15, or as a result of sexual*
12 *exploitation by a counselor, therapist, or school employee*
13 *shall be brought within ~~five~~ ten years of the date the victim*
14 *was last treated by the counselor or therapist, or within*
15 *~~five~~ ten years of the date the victim was last enrolled in or*
16 *attended the school. If the victim was a minor when the injury*
17 *or exploitation occurred, an action may be brought according*
18 *to section 614.8A.*

19 Sec. __. Section 614.8, Code 2018, is amended to read as
20 follows:

21 **614.8 Minors and persons with mental illness.**

22 1. The times limited for actions in this chapter, or for
23 complaints or claims in chapter 216, 669, or 670, except those
24 brought for penalties and forfeitures, are extended in favor
25 of persons with mental illness, so that they shall have one
26 year from and after the termination of the disability within
27 which to file a complaint pursuant to chapter 216, to make a
28 claim pursuant to chapter 669 or 670, or to otherwise commence
29 an action.

30 2. Except as provided in section 614.1, subsection 9, or
31 section 614.8A, the times limited for actions in this chapter,
32 or for complaints or claims in chapter 216, 669, or 670, except
33 those brought for penalties and forfeitures, are extended in
34 favor of minors, so that they shall have one year from and
35 after attainment of majority within which to file a complaint

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1 pursuant to chapter 216, to make a claim pursuant to chapter
2 669, or to otherwise commence an action.

3 Sec. __. Section 614.8A, Code 2018, is amended to read as
4 follows:

5 **614.8A Damages Commencement of action for minor or child**
6 **sexual abuse — time limitation.**

7 1. Notwithstanding section 614.8, subsection 2, and the
8 times limited for actions in this chapter, the time to file an
9 action relating to sexual abuse which occurred when the injured
10 person was a minor is extended twenty-five years beyond the
11 minor's attainment of eighteen years of age.

12 2. ~~An~~ In addition to the extension of time provided in

13 subsection 1, an action for damages for injury suffered as
 14 a result of sexual abuse which occurred when the injured
 15 person was a child, but not discovered until after the injured
 16 person is of the age of majority, shall be brought within ~~four~~
 17 twenty-five years from the time of discovery by the injured
 18 party of both the injury and the causal relationship between
 19 the injury and the sexual abuse.>>

20 2. Page 1, after line 15 by inserting:

21 <__. Title page, by striking lines 1 through 3 and
 22 inserting <An Act relating to periods of time for commencing
 23 and executing certain civil actions and procedures.>>

24 3. By renumbering as necessary.

WOLFE of Clinton

H-8325

1 Amend Senate File 2353, as passed by the Senate, as follows:

2 1. Page 26, line 25, before <workforce> by inserting

3 <education, in collaboration with the department of>

4 2. Page 26, line 26, by striking <development> and inserting

5 <development,>

6 3. Page 27, after line 14 by inserting:

7 <Sec. __.INDUSTRY OR SECTOR PARTNERSHIP TASK FORCE AND
 8 REPORT.

9 1. For purposes of this section, “industry or sector
 10 partnership” means the same as defined in section 84A.2, as
 11 enacted by this Act.

12 2.a. An industry or sector partnership task force is
 13 established consisting of the following members:

14 (1) The director of the department of education or the
 15 director’s designee. The director shall not designate for
 16 this position the same individual designated pursuant to
 17 subparagraph (3) or (4).

18 (2) Two representatives of the department of workforce
 19 development appointed by the director of the department.

20 (3) The director of the department for the blind or the
 21 director’s designee.

22 (4) The administrator of the division of vocational
 23 rehabilitation services of the department of education or the
 24 administrator’s designee.

25 (5) The administrator of the division of community colleges
 26 of the department of education or the administrator’s designee.

27 (6) Two superintendents, or the superintendents’ designees,
 28 of community colleges, appointed by the Iowa association of
 29 community college presidents.

30 (7) Six representatives of the business community with
 31 experience working with industry sector boards appointed by the
 32 Iowa association of business and industry.

33 (8) Two representatives of labor organizations with
 34 experience working with industry sector boards appointed by
 35 the largest statewide labor organization representing state

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1 employees.

2 b. The membership of the task force shall also include
 3 four members of the general assembly. The legislative members
 4 shall serve as ex officio, nonvoting members of the task force,
 5 with one member to be appointed by each of the following: the
 6 majority leader of the senate, the minority leader of the
 7 senate, the speaker of the house of representatives, and the
 8 minority leader of the house of representatives.
 9 c. The ex officio, nonvoting members of the task force
 10 appointed by the majority leader of the senate and the speaker
 11 of the house of representatives shall serve as cochairpersons
 12 of the task force.

13 3. The cochairpersons of the task force shall jointly
 14 convene the task force. The task force shall make
 15 recommendations for improving operating efficiencies of
 16 industry or sector partnerships in this state. The task force
 17 shall submit its findings and recommendations in a report to
 18 the governor and the general assembly no later than December
 19 31, 2018.>

20 4. Title page, line 3, after <development> by inserting <,
 21 providing for an industry or sector partnership task force and
 22 report.>

23 5. By renumbering, redesignating, and correcting internal
 24 references as necessary.

KLEIN of Washington

H-8326

1 Amend the amendment, H-8320, to Senate File 2235, as
 2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, line 22, by striking <supports, or is appurtenant
 4 to> and inserting <or supports>

OLSON of Polk

H-8327

1 Amend the amendment, H-8320, to Senate File 2235, as
 2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, line 26, by striking <intended to cause> and
 4 inserting <intended to directly affect the security of this
 5 state, including a political subdivision of this state, by
 6 causing>

OLSON of Polk

H-8328

1 Amend the Senate amendment, H-8320, to Senate File 2235, as

2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 2, line 12, after <livestock.> by inserting <The
 4 term “*substantial and widespread interruption or impairment of*
 5 *a fundamental service*”, as used in this definition, shall not
 6 be construed to prohibit picketing, public demonstrations, and
 7 similar forms of expressing ideas or views regarding legitimate
 8 matters of public interest protected by the United States and
 9 Iowa Constitutions.>

OLSON of Polk

H-8329

1 Amend the Senate amendment, H-8264, to House File 2234, as
 2 passed by the House, as follows:
 3 1. Page 1, by striking line 2 and inserting:
 4 <__. By striking page 1, line 33, through page 2, line 8,
 5 and inserting:
 6 <Sec. __. Section 628.3, Code 2018, is amended to read as
 7 follows:
 8 **628.3 Redemption by debtor.**
 9 The debtor may redeem real property at any time within
 10 one year from the day of sale, and will, in the meantime,
 11 be entitled to the possession thereof; and for the first six
 12 months thereafter such right of redemption is exclusive.
 13 However, the time that a debtor has to redeem real property may
 14 be reduced in direct proportion to any delay in the service
 15 of a default notice or the filing of the forfeiture action
 16 required by 12 C.F.R. §1024.41(f)(1)(i) provided that the total
 17 time that the debtor has to redeem is not less than six months
 18 from the day of sale, that the debtor will, in the meantime,
 19 be entitled to the possession of the real property, and that
 20 for the first six months after the day of sale such right of
 21 redemption is exclusive. Any real property redeemed by the
 22 debtor shall thereafter be free and clear from any liability
 23 for any unpaid portion of the judgment under which said real
 24 property was sold.>
 25 2. Page 1, by striking lines 3 through 15 and inserting:
 26 <__. By striking page 2, line 31, through page 4, line 23,
 27 and inserting:
 28 <Sec. __. Section 628.26, Code 2018, is amended to read as
 29 follows:
 30 **628.26 Agreement to reduce period of redemption.**
 31 1. The mortgagor and the mortgagee of real property
 32 consisting of less than ten acres in size may agree and provide
 33 in the mortgage instrument that the period of redemption after
 34 sale on foreclosure of said mortgage as set forth in section
 35 628.3 be reduced to six months, provided the mortgagee waives

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1 in the foreclosure action any rights to a deficiency judgment

2 against the mortgagor which might arise out of the foreclosure
 3 proceedings. In such event the debtor will, in the meantime,
 4 be entitled to the possession of said real property; and if
 5 such redemption period is so reduced, for the first three
 6 months after sale such right of redemption shall be exclusive
 7 to the debtor, and the time periods in sections 628.5, 628.15,
 8 and 628.16, shall be reduced to four months.
 9 2. Notwithstanding subsection 1, if there is a delay in the
 10 service of a default notice or the filing of the forfeiture
 11 action required by 12 C.F.R. §1024.41(f)(1)(i), the mortgagor
 12 and the mortgagee of real property consisting of less than ten
 13 acres in size may agree and provide in the mortgage instrument
 14 that the period of redemption after sale on foreclosure of said
 15 mortgage as set forth in section 628.3 be reduced in proportion
 16 to the delay caused by 12 C.F.R. §1024.41(f)(1)(i), provided
 17 that the total time the debtor has to redeem is not less than
 18 three months, and that the mortgagee waives in the foreclosure
 19 action any rights to a deficiency judgment against the
 20 mortgagor which might arise out of the foreclosure proceedings.
 21 In such event the debtor will, in the meantime, be entitled to
 22 the possession of said real property; and if such redemption
 23 period is so reduced, for the first month after sale such right
 24 of redemption shall be exclusive to the debtor, and the time
 25 periods in sections 628.5, 628.15, and 628.16, shall be reduced
 26 to two months.

27 Sec. ____ Section 654.20, subsection 1, Code 2018, is
 28 amended to read as follows:

29 1.g. If the mortgaged property is not used for an
 30 agricultural purpose as defined in section 535.13 and there was
 31 not a delay in the service of a default notice or the filing of
 32 the forfeiture action required by 12 C.F.R. §1024.41(f)(1)(i),
 33 the plaintiff in an action to foreclose a real estate mortgage
 34 may include in the petition an election for foreclosure without
 35 redemption. The election is effective only if the first page

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1 of the petition contains the following notice in capital
 2 letters of the same type or print size as the rest of the
 3 petition:

4 NOTICE
 5 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
 6 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
 7 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE COURT
 8 A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A WRITTEN
 9 DEMAND, THE SALE WILL BE DELAYED UNTIL TWELVE MONTHS (or
 10 SIX MONTHS if the petition includes a waiver of deficiency
 11 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY
 12 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
 13 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED
 14 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT A
 15 ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT OF

16 REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL BE
 17 ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY. YOU
 18 MAY PURCHASE AT THE SALE.

19 b. If the mortgaged property is not used for an agricultural
 20 purpose as defined in section 535.13 and there was a delay in
 21 the service of a default notice or the filing of the forfeiture
 22 action required by 12 C.F.R. §1024.41(f)(1)(i), the plaintiff
 23 in an action to foreclose a real estate mortgage may include in
 24 the petition an election for foreclosure without redemption.
 25 The election is effective only if the first page of the
 26 petition contains the following notice in capital letters of
 27 the same type or print size as the rest of the petition:

28 **NOTICE**

29 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
 30 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
 31 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE
 32 COURT A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A
 33 WRITTEN DEMAND, THE SALE WILL BE DELAYED UNTIL SIX MONTHS (or
 34 THREE MONTHS if the petition includes a waiver of deficiency
 35 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY

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1 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
 2 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED
 3 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT
 4 A ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT
 5 OF REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL
 6 BE ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY.
 7 YOU MAY PURCHASE AT THE SALE.

8 Sec. ____ Section 654.21, Code 2018, is amended to read as
 9 follows:

10 **654.21 Demand for delay of sale.**

11 1. At any time prior to entry of judgment, the mortgagor may
 12 file a demand for delay of sale. If the demand is filed, the
 13 sale shall be held promptly after the expiration of two months
 14 from entry of judgment.

15 2. However, if the demand is filed and the mortgaged
 16 property is the residence of the mortgagor and is a one-family
 17 or two-family dwelling, the sale shall be held promptly after
 18 the expiration of twelve months, or six months if the petition
 19 includes a waiver of deficiency judgment, from entry of
 20 judgment.

21 3. However, if there was a delay in the service of a default
 22 notice or the filing of the forfeiture action required by
 23 12 C.F.R. §1024.41(f)(1)(i) and the demand is filed and the
 24 mortgaged property is the residence of the mortgagor and is
 25 a one-family or two-family dwelling, the sale shall be held
 26 promptly after the expiration of six months, or three months
 27 if the petition includes a waiver of deficiency judgment, from
 28 entry of judgment.

29 4. If the demand is filed, the mortgagor and mortgagee

30 subsequently may file a stipulation that the sale may be held
 31 promptly after the stipulation is filed and that the mortgagee
 32 waives the right to entry of a deficiency judgment. If the
 33 stipulation is filed, the sale shall be held promptly after
 34 the filing. At any time prior to judgment, the mortgagor may
 35 pay the plaintiff the amount claimed in the petition and, if

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1 paid, the foreclosure action shall be dismissed. At any time
 2 after judgment and before the sale, the mortgagor may pay the
 3 plaintiff the amount of the judgment and, if paid, the judgment
 4 shall be satisfied of record and the sale shall not be held.>>
 5 3. By renumbering, redesignating, and correcting internal
 6 references as necessary.

McCONKEY of Pottawattamie

H-8330

1 Amend Senate File 2311, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 5, line 21, after <board.> by inserting <If a public
 4 utility automatically adjusts rates and charges to recover
 5 costs related to transmission pursuant to this paragraph, the
 6 utility shall represent the change in rates or charges in
 7 customer billings as the percentage increase or decrease to the
 8 existing rates or charges, not as the percentage change to the
 9 average customer billing or any other calculation.>

ISENHART of Dubuque

H-8331

1 Amend Senate File 2311, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 20, after line 4 by inserting:
 4 <Sec. ___. Section 476.56, Code 2018, is amended to read as
 5 follows:
 6 **476.56 Energy costs provided.**
 7 A gas or electric public utility shall provide, upon the
 8 request of a person who states in writing that the person is an
 9 owner of real property, or an interested prospective purchaser
 10 or renter of the property, which is or has been receiving gas
 11 or electric service from the public utility, the annual gas
 12 or electric energy costs for the property. A gas or electric
 13 public utility and, notwithstanding section 476.1, subsection
 14 5, a public utility furnishing water or sewer service, shall
 15 comply with the utility service cost disclosure provisions of
 16 section 562A.13A with regard to existing or prospective renters
 17 of real property.
 18 Sec. ___.NEW SECTION. **562A.13A Utility service cost**

19 **disclosure statements — penalty.**

20 1. In addition to the required disclosure provisions
21 of section 562A.13, the landlord or a person authorized to
22 enter into a rental agreement on behalf of the landlord shall
23 disclose to a prospective tenant in writing at or before the
24 commencement of the tenancy, and to an existing tenant at any
25 point during the tenancy, the gas, electric, water, or sewer
26 utility service costs for a dwelling unit. Utility service
27 costs shall be provided with respect to a dwelling unit for the
28 preceding twelve-month period based upon information obtained
29 at no charge by the landlord or person authorized to enter
30 into the rental agreement from the utility furnishing utility
31 service, pursuant to an energy cost disclosure statement
32 developed pursuant to subsection 2. In the event that
33 utility service has been provided for a period of less than
34 one year, cost information shall be provided for the period
35 beginning when utility service commenced. In the event of new

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1 construction, utility service cost information from similar
2 dwelling units in similar properties may be obtained in writing
3 from a utility and supplied to a prospective tenant, or in
4 the alternative, a landlord may obtain a written estimate of
5 anticipated utility service costs from a utility or an energy
6 consultant.

7 2. The office of consumer advocate shall develop the
8 format of an energy cost disclosure statement for utilization
9 by landlords in complying with this section. The format
10 developed shall include space for the disclosure of the
11 annual utility service costs, and shall also include space
12 for a representative list of energy efficiency standards
13 incorporating features or upgrades that a dwelling unit or
14 the building of which it is a part might conceivably exhibit
15 or offer. The list of energy efficiency standards shall
16 be developed by the office of the consumer advocate, in
17 consultation with state and federal energy efficiency agencies
18 and experts, and shall be accompanied by a space for notation
19 by the landlord indicating whether or not the unit or building
20 meets or exceeds each standard.

21 3. A landlord who fails to comply with the requirements of
22 this section upon receipt of a written notice by a tenant or
23 a prospective tenant that utility service costs have not been
24 disclosed shall have seven days from the date of receipt of the
25 notice to provide the required utility service cost disclosure
26 statement. A landlord who fails to provide the disclosure
27 statement within the seven-day period or who enters into a
28 rental agreement with a tenant without first disclosing utility
29 service costs on a disclosure statement or who misrepresents
30 utility service costs on a disclosure statement shall be
31 subject to a civil penalty of five hundred dollars. Such
32 penalty shall be imposed by the office of consumer advocate or

33 pursuant to a civil proceeding regarding recovery of damages
 34 by a tenant for nondisclosure, and shall be remitted to the
 35 division of community action agencies for deposit into the

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- 1 energy crisis fund created in section 216A.102.
- 2 Sec. __.APPLICABILITY. The following provisions of this
- 3 Act apply to rental agreements entered into on or after January
- 4 1, 2018:
- 5 1. The section of this Act amending section 476.56.
- 6 2. The section of this Act enacting section 562A.13A.>
- 7 2. By renumbering as necessary.

ISENHART of Dubuque

H-8332

- 1 Amend House File 2233, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. Page 2, line 17, before <A> by inserting <1.>
- 4 2. Page 2, line 24, by striking <1.> and inserting <a.>
- 5 3. Page 3, line 2, by striking <2.> and inserting <b.>
- 6 4. Page 3, after line 4 by inserting:
- 7 <2. This section shall not apply to highway, bridge, or
- 8 culvert projects as referred to in section 573.28.>
- 9 5. By renumbering, redesignating, and correcting internal
- 10 references as necessary.

SENATE AMENDMENT

H-8333

- 1 Amend House File 2253, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. Page 1, by striking lines 13 through 29 and inserting:
- 4 <3.a. "Public improvement" means a building or
- 5 construction work which is constructed under the control of
- 6 a governmental entity and ~~is paid for which either of the~~
- 7 following applies:
- 8 (1) Has been paid for in whole or in part with funds of the
- 9 governmental entity, including.
- 10 (2) A commitment has been made prior to construction by the
- 11 governmental entity to pay for the building or construction
- 12 work in whole or in part with funds of the governmental entity.
- 13 b. "Public improvement" includes a building or improvement
- 14 constructed or operated jointly with any other public or
- 15 private agency, but excluding excludes urban renewal demolition
- 16 and low-rent housing projects, industrial aid projects
- 17 authorized under chapter 419, emergency work or repair or
- 18 maintenance work performed by employees of a governmental
- 19 entity, and excluding excludes a highway, bridge, or culvert

20 project, and ~~excluding~~ ~~excludes~~ construction or repair or
 21 maintenance work performed for a city utility under chapter 388
 22 by its employees or performed for a rural water district under
 23 chapter 357A by its employees.>

SENATE AMENDMENT

H-8334

1 Amend Senate File 2311, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 2, after line 17 by inserting:
 4 <Sec. .**NEW SECTION. 385.1 Definitions.**
 5 As used in this chapter, unless the context otherwise
 6 requires:
 7 1. *“Board”* means an energy investment district board
 8 appointed pursuant to this chapter.
 9 2. *“Energy investment”* means an acquisition, installation,
 10 or modification benefitting private property, except
 11 residential property with fewer than three residential units,
 12 that is intended to reduce energy consumption or energy costs,
 13 or both, or is intended to provide or allow for the use of
 14 alternate and renewable energy. The term includes but is not
 15 limited to the following measures:
 16 a. Insulating walls, roofs, attics, floors, foundations, and
 17 heating and cooling distribution systems.
 18 b. Repairing, replacing, or installing storm windows
 19 and doors, multiglazed windows and doors, heat-absorbing or
 20 heat-reflective windows and doors, and other window and door
 21 improvements designed to reduce energy consumption.
 22 c. Constructing or reconstructing roofs designed to reduce
 23 energy consumption or support additional loads necessitated by
 24 other energy investments.
 25 d. Installing energy control and measurement devices.
 26 e. Heating, ventilating, or air conditioning distribution
 27 system modifications and replacements.
 28 f. Caulking and weatherstripping.
 29 g. Installing lighting fixtures that result in increased
 30 energy efficiency of the lighting system.
 31 h. Installing water heating systems, elevators, and
 32 escalators that result in increased energy efficiency.
 33 i. Repairing, replacing, or installing energy recovery
 34 systems.
 35 j. Repairing, replacing, or installing daylighting systems.

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1 k. Repairing, replacing, or installing energy systems that
 2 provide energy from alternate or renewable energy, including
 3 solar, wind, biomass, geothermal, or cogeneration.
 4 l. Repairing, replacing, or installing facilities or
 5 fixtures providing for water conservation or pollutant control.

6 *m.* Repairing, replacing, or installing an energy investment
7 related item so long as the cost of the energy investment
8 related item does not exceed twenty-five percent of the total
9 cost of the project.

10 3. “*Energy investment related item*” means a repair,
11 replacement, improvement, or modification to real property
12 that is necessary or desirable in conjunction with an energy
13 investment. The term includes but is not limited to structural
14 support improvements and the repair or replacement of any
15 building components, paved surfaces, or fixtures disrupted or
16 altered by the installation of an energy investment.

17 4. “*Project*” means one or more energy investments to be
18 installed on a property.

19 Sec. .NEW SECTION. **385.2 Energy investment district**
20 **created.**

21 1. A county or city may create an energy investment district
22 pursuant to this chapter in order to provide financing for
23 energy investment projects to benefit real property in the
24 district.

25 2. One or more counties and one or more cities within
26 those counties may create, by chapter 28E agreement, an energy
27 investment district pursuant to this chapter in order to
28 provide financing for energy investment projects to benefit
29 real property in the district. The agreement creating the
30 energy investment district shall specify the geographic
31 boundaries of the district.

32 Sec. .NEW SECTION. **385.3 Energy investment district**
33 **board — membership — powers.**

34 1. The governing bodies of the counties and cities
35 participating in an energy investment district shall appoint a

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1 board to manage and administer the energy investment district.
2 An energy investment district board shall consist of at least
3 three members, but if the district is created pursuant to
4 section 385.2, subsection 2, in no case shall there be fewer
5 members than the number of participating cities and counties.
6 The agreement creating the energy investment district shall set
7 the term length of board members.

8 2. A board shall have and may exercise the powers and duties
9 necessary for management and administration of the energy
10 investment district as such powers and duties are described
11 in the agreement, including but not limited to the following
12 express powers and duties:

13 *a.* To adopt, amend, and repeal bylaws consistent with the
14 provisions of this chapter.

15 *b.* To adopt an official seal.

16 *c.* To sue and be sued in all courts.

17 *d.* To make and enter into contracts with public and private
18 entities.

19 *e.* To accept grants, guarantees, and donations of property,

- 20 labor, services, and other items of value from a public or
 21 private source.
- 22 *f.* To employ or contract for such managerial, legal,
 23 technical, clerical, accounting, or other assistance it
 24 deems advisable. However, the board shall not enter into any
 25 arrangement that results in an exclusive lender, underwriter,
 26 or other funding partner for all projects funded by the board.
- 27 *g.* To finance projects under assessment contracts.
- 28 *h.* To levy and collect special assessments under an
 29 assessment contract with a property owner.
- 30 *i.* To borrow money from a public or private source and issue
 31 bonds and provide security for the repayment of such bonds.
- 32 *j.* To charge and collect fees pursuant to section 385.5.
- 33 *k.* To invest funds not required for immediate disbursement,
 34 subject to section 28E.5, subsection 2.
- 35 3. A board shall exist for a minimum duration necessary to

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- 1 finance any assessment contracts that the board enters into
 2 pursuant to section 385.4.
- 3 Sec. __.NEW SECTION. 385.4 Project financing requirements
 4 — assessment contracts.
- 5 1. A board may finance a project if the following criteria
 6 are met:
- 7 *a.* There are sufficient resources to complete the project.
- 8 *b.* The estimated monetary benefit, as determined by the
 9 board after consultation with an outside expert, and including
 10 but not limited to energy cost savings, maintenance, and other
 11 property operating savings expected from the project during the
 12 financing period is equal to or greater than the principal and
 13 interest cost of the project, including special assessments and
 14 any applicable fees.
- 15 *c.* The project complies with the ordinances and regulations
 16 of the county or city where the property is located, including
 17 but not limited to such ordinances and regulations concerning
 18 zoning, subdivision of property, building, fire safety, and
 19 historic or architectural review.
- 20 2. A board shall finance a project under an assessment
 21 contract. An assessment contract shall be executed by the
 22 board and the property owner or owners and shall include the
 23 following components:
- 24 *a.* A description of the project, including the estimated
 25 cost of the project and a description of the estimated savings,
 26 prepared in accordance with standards accepted by the board.
- 27 *b.* A mechanism for verifying the final costs of the project
 28 upon its completion and ensuring that any amounts advanced,
 29 financed, or otherwise provided by the board will not exceed
 30 the final cost of the project.
- 31 *c.* An agreement by the property owner to pay special
 32 assessments and any applicable fees for a period not to exceed
 33 the weighted average useful life of the project, as specified

34 in the assessment contract.
35 *d.* An assessment schedule adopted by the board by

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1 resolution, stating the number of annual installments due,
2 stating the time when assessments and any applicable fees are
3 payable, and providing for interest on all unpaid installments
4 and fees at a rate not exceeding that permitted by chapter 74A.
5 *e.* A statement that the obligations provided in the
6 assessment contract, including the obligation to pay special
7 assessments and any applicable fees charged, are a covenant
8 that shall run with the land and be obligations upon future
9 owners of such property.
10 *f.* An acknowledgment that the subdivision of property
11 subject to the assessment contract shall require the assessment
12 contract or an amendment to the contract to divide the total
13 special assessment and any applicable fees charged due between
14 the newly subdivided parcels in proportion to the benefit
15 realized by each subdivided parcel.
16 *g.* An acknowledgment from all entities holding mortgages on
17 the real property, or the contract seller under a real estate
18 contract, to be assessed under the assessment contract that
19 such interest holders have consented to the levy and collection
20 of the special assessments and any applicable fees charged, as
21 described in the assessment contract.
22 *3.a.* A board shall provide a copy of a signed assessment
23 contract to the county or city assessor, as appropriate, and to
24 the county auditor of the county where the property is located
25 and shall file for recording a copy of the assessment contract
26 with the county recorder.
27 *b.* The city clerk or county auditor, as appropriate, shall
28 certify the assessment schedule to the treasurer of each county
29 where the property is located. The county treasurer shall
30 enter on the county system the amounts to be assessed against
31 the property, as certified.
32 4. A board may enter into more than one assessment contract
33 with respect to a single parcel of real property, so long as
34 each assessment contract relates to a separate project.
35 5. A board shall determine an inspection procedure to

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1 be utilized upon completion of an energy investment financed
2 pursuant to this chapter.
3 **Sec. .NEW SECTION. 385.5 Special assessments — fees**
4 **— delinquency.**
5 1. The total special assessments levied by a board under an
6 assessment contract shall not exceed the sum of the cost of the
7 project, including any energy audits or inspections or portions
8 thereof financed by the board, plus interest.
9 2. In addition to special assessments provided under

10 subsection 1, a board may also charge a fee of up to one percent
 11 of the total cost of a project, which fee may not exceed twenty
 12 thousand dollars per project. Such fee shall be charged in
 13 connection with administration of the assessment contract
 14 and with any technical, consultative, or project assistance
 15 services required. A fee charged under this subsection shall
 16 be included in an assessment contract provided under section
 17 385.4.

18 3. Special assessments levied and any applicable fees
 19 charged by a board under an assessment contract shall be
 20 levied, charged, and collected in the manner as provided in the
 21 assessment contract and with the same priority as ad valorem
 22 property taxes.

23 4.a. If special assessments and any applicable fees are
 24 not paid within the time period set forth in the assessment
 25 contract, such special assessments and fees shall be considered
 26 delinquent. Delinquent special assessments and fees shall
 27 become a lien on the property against which the special
 28 assessments were levied and the fees charged. A board may
 29 collect delinquent special assessments and fees as if the board
 30 were a county treasurer pursuant to sections 445.3 and 445.4,
 31 except that the property shall not be subject to sale for
 32 delinquent taxes under chapter 446.

33 b. Special assessments and any applicable fees that are not
 34 delinquent shall not be accelerated as part of any action or
 35 proceeding to collect delinquent special assessments or fees.

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1 Upon the sale of the real property subject to an assessment
 2 contract, any remaining special assessments and applicable fees
 3 shall be collected for the remainder of the assessment contract
 4 term from a subsequent owner of the real property, including
 5 an owner that is the state or any political subdivision of the
 6 state.

7 Sec. .**NEW SECTION. 385.6 Bonds issued.**

8 1. A board may, by resolution, authorize and issue bonds
 9 payable from the proceeds of the special assessments and any
 10 other revenues collected. Such bonds may bear dates, bear
 11 interest at rates not exceeding those permitted by chapter 74A,
 12 mature in one or more installments, be in either coupon or
 13 registered form, carry registration and conversion privileges,
 14 be payable as to principal and interest at times and places,
 15 be subject to terms of redemption prior to maturity with or
 16 without premium, and be in one or more denominations, all as
 17 provided by the resolution of the board authorizing their
 18 issuance.

19 2. Bonds issued under this section shall not constitute a
 20 debt of the state or of the city or county where the property is
 21 located, and the form of such bonds shall contain a statement
 22 to that effect.

23 Sec. .**NEW SECTION. 385.7 Annual reporting.**

24 A board shall submit to the governing body of each
 25 participating county and city an annual report for the
 26 preceding calendar year that includes the following
 27 information:
 28 1. A description of each project completed, including the
 29 physical address of the benefitted property, the name or names
 30 of the property owners, an itemized list of the costs incurred
 31 under the project, and the name of any contractors used to
 32 complete the project.
 33 2. For each project in subsection 1, the amount of special
 34 assessments due and the amount collected for the fiscal year
 35 ending during the preceding calendar year.

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1 3. A summary of the public benefits resulting from the
 2 projects listed in subsection 1, including, without limitation,
 3 estimated cumulative energy savings resulting from the
 4 projects.
 5 4. A description of each assessment contract entered into by
 6 the board, including a description of the project and a summary
 7 of the assessment schedule.
 8 5. The amount of administrative costs incurred by the
 9 board.>
 10 2. By renumbering as necessary.

ISENHART of Dubuque

H-8335

1 Amend House File 619 as follows:
 2 1. Page 1, by striking lines 10 and 11 and inserting
 3 <department to be reasonably competitive with fees established
 4 in other public parks or recreation areas that provide the same
 5 or similar privileges and are located within sixty miles of the
 6 perimeter of the state park or recreation area for which the
 7 department is establishing fees. Such fees may be>
 8 2. Page 1, after line 22 by inserting:
 9 <5. The department shall prepare an annual report reviewing
 10 the fees established pursuant to this section. The report
 11 shall include information about fees and occupancy rates
 12 at each camping and rental facility in the state under the
 13 jurisdiction of the department, special promotional events or
 14 holiday rates for which fees were increased, reduced, or waived
 15 at those camping and rental facilities, and any recommendations
 16 for changes in fees or rules adopted pursuant to this section.
 17 The report shall be submitted to the senate standing committee
 18 on natural resources and environment and the house standing
 19 committee on natural resources by December 31 of each year.>
 20 3. Page 1, line 23, by striking <2017> and inserting <2018>

MAXWELL of Poweshiek

H-8336

- 1 Amend Senate File 481, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 6, line 24, by striking <twelve months> and
 4 inserting <ninety days>

HOLT of Crawford

H-8337

- 1 Amend the Senate amendment, H-8299, to House File 2392, as
 2 amended, passed, and reprinted by the House, as follows:
 3 1. Page 1, line 4, by striking <provide proof of> and
 4 inserting <detect>
 5 2. Page 1, after line 4 by inserting:
 6 <__. Page 1, line 24, after <device> by inserting <with the
 7 knowledge and consent of all lawful owners or lessees of the
 8 real property>>

HEARTSILL of Marion

H-8338

- 1 Amend the House amendment, S-5142, to Senate File 2099, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 14, by striking <does> and inserting <does
 4 do>
 5 2. Page 2, by striking lines 7 through 17 and inserting:
 6 <Sec. __.EFFECTIVE DATE. The following take effect July
 7 1, 2018:
 8 1. The sections of this Act amending sections 633.3, 635.2,
 9 635.7, and 635.8.
 10 Sec. __.EFFECTIVE DATE. The following takes effect July
 11 1, 2020:
 12 1. The section of this Act amending section 635.1.
 13 Sec. __.APPLICABILITY. The following apply July 1, 2018,
 14 to estates of decedents dying on or after July 1, 2018, and
 15 other estates opened previously and for which administration
 16 has not been completed as of July 1, 2018:
 17 The sections of this Act amending sections 633.3, 635.2, and
 18 635.8.
 19 Sec. __.APPLICABILITY. The following applies July 1,
 20 2018, to estates of decedents dying on or after July 1, 2018:
 21 The section of this Act amending section 635.7.
 22 Sec. __.APPLICABILITY. The following applies July 1,
 23 2020, to estates of decedents dying on or after July 1, 2020:
 24 The section of this Act amending section 635.1.>
 25 3. By renumbering as necessary.

SENATE AMENDMENT

H-8339

1 Amend House File 2441, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 3, by striking lines 7 through 22 and inserting
4 ~~<December 15~~ January 15 of the year preceding the budget year
5 during which the program will be offered. The ~~department~~
6 school budget review committee shall review the request
7 and shall ~~prior to January 15~~ either grant approval for the
8 request or ~~return the request for approval with comments of the~~
9 ~~department included if the amount requested does not exceed an~~
10 amount equal to the limitation of section 257.41, subsection
11 3, minus any funds for the adopted program carried forward
12 from the year prior to the base year. An unapproved request
13 for a program may be resubmitted with modifications to the
14 department not later than February 1. The board of director's
15 shall certify by resolution that the request complies with
16 the school district's adopted program plan. If the amount
17 requested exceeds an amount equal to the limitation of section
18 257.41, subsection 3, minus any funds for the adopted program
19 carried forward from the year prior to the base year, the
20 amount approved by the school budget review committee shall
21 equal the limitation amount minus any funds for the adopted
22 program carried forward from the year prior to the base year.
23 ~~Not later than February~~ March 15, the ~~department school budget~~
24 review committee>

SENATE AMENDMENT

H-8340

1 Amend Senate File 2311, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:
5 <Section 1. Section 28F.1, subsection 1, Code 2018, is
6 amended to read as follows:
7 1. This chapter provides a means for the joint financing
8 by public agencies of works or facilities useful and necessary
9 for the collection, treatment, purification, and disposal
10 in a sanitary manner of liquid and solid waste, sewage,
11 and industrial waste, facilities used for the conversion of
12 solid waste to energy, gasworks and facilities useful for
13 the delivery of natural gas service, and also electric power
14 facilities constructed within the state of Iowa, except that
15 hydroelectric power facilities may also be located in the
16 waters and on the dams of or on land adjacent to either side
17 of the Mississippi or Missouri river bordering the state of
18 Iowa, water supply systems, swimming pools or golf courses.
19 This chapter applies to the acquisition, construction,
20 reconstruction, ownership, operation, repair, extension,
21 or improvement of such works or facilities, by a separate

22 administrative or legal entity created pursuant to chapter
 23 28E or chapter 389. When the legal entity created under
 24 this chapter is comprised solely of cities, counties, and
 25 sanitary districts established under chapter 358, or any
 26 combination thereof or any combination of the foregoing with
 27 other public agencies, the entity shall be both a corporation
 28 and a political subdivision with the name under which it was
 29 organized. The legal entity may sue and be sued, contract,
 30 acquire and hold real and personal property necessary for
 31 corporate purposes, adopt a corporate seal and alter the seal
 32 at pleasure, and execute all the powers conferred in this
 33 chapter.
 34 Sec. 2. Section 28F.11, Code 2018, is amended to read as
 35 follows:

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1 **28F.11 Eminent domain.**

2 Any public agency participating in an agreement authorizing
 3 the joint exercise of governmental powers pursuant to this
 4 chapter may exercise its power of eminent domain to acquire
 5 interests in property, under provisions of law then in effect
 6 and applicable to the public agency, for the use of the entity
 7 created to carry out the agreement, provided that the power of
 8 eminent domain is not used to acquire interests in property
 9 which is part of a system of facilities in existence, under
 10 construction, or planned, for the generation, transmission
 11 or sale of electric power, or for the transmission,
 12 transportation, or sale of natural gas. In the exercise
 13 of the power of eminent domain, the public agency shall
 14 proceed in the manner provided by chapter 6B. Any interests
 15 in property acquired are acquired for a public purpose, as
 16 defined in chapter 6A, of the condemning public agency, and the
 17 payment of the costs of the acquisition may be made pursuant
 18 to the agreement or to any separate agreement between the
 19 public agency and the entity or the other public agencies
 20 participating in the entity or any of them. Upon payment of
 21 costs, any property acquired is the property of the entity.

22 Sec. 3. Section 476.1, subsection 7, Code 2018, is amended
 23 to read as follows:

24 7. The jurisdiction of the board under this chapter
 25 shall include efforts designed to promote the use of energy
 26 efficiency strategies by ~~rate or service-regulated~~ gas and
 27 electric utilities required to be rate-regulated.

28 Sec. 4. Section 476.1A, subsections 1, 2, and 4, Code 2018,
 29 are amended to read as follows:

30 1. Electric public utilities having fewer than ten
 31 thousand customers and electric cooperative corporations
 32 and associations are not subject to the ~~rate~~ regulation
 33 authority of the board. ~~Such utilities are subject to all~~
 34 ~~other regulation and enforcement activities of the board,~~
 35 ~~including,~~ except for regulatory action pertaining to all of

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1 the following:

2 a. Assessment of fees for the support of the division and
3 the office of consumer advocate, pursuant to section 476.10.

4 b. Safety and engineering standards for equipment,
5 operations, and procedures.

6 c. Assigned area of service.

7 d. Pilot projects of the board.

8 e. Assessment of fees for the support of the Iowa energy
9 center created in section 15.120 and the center for global and
10 regional environmental research established by the state board
11 of regents. This paragraph "e" is repealed July 1, 2022.

12 f. Filing alternate energy purchase program plans with the
13 board, and offering such programs to customers, pursuant to
14 section 476.47.

15 g. Filing energy efficiency plans and energy efficiency
16 results with the board. The energy efficiency plans as a
17 whole shall be cost-effective. The board may permit these
18 utilities to file joint plans. ~~The board shall periodically~~
19 ~~report the energy efficiency results including energy savings~~
20 ~~of each of these utilities to the general assembly.~~ The board
21 may waive all or part of the energy efficiency filing and
22 review requirements for electric cooperative corporations and
23 associations and electric public utilities which demonstrate
24 superior results with existing energy efficiency efforts.

25 2. However, sections 476.20, subsections 1 through 4,
26 476.21, 476.41 through 476.44, 476.51, 476.56, 476.62, and
27 476.66 and chapters 476A and 478, to the extent applicable,
28 apply to such electric utilities.

29 4. The board of directors or the membership of an electric
30 cooperative corporation or association otherwise exempt
31 from rate regulation may elect to have the cooperative's
32 rates regulated by the board. The board shall adopt rules
33 prescribing the manner in which the board of directors or the
34 membership of an electric cooperative may so elect. If the
35 board of directors or the membership of an electric cooperative

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1 has elected to have the cooperative's rates regulated by the
2 board, after two years have elapsed from the effective date of
3 such election the board of directors or the membership of the
4 electric cooperative may elect to exempt the cooperative from
5 the rate regulation authority of the board, provided, however,
6 that if the membership elected to have the cooperative's rates
7 regulated by the board, only the membership may elect to exempt
8 the cooperative from the rate regulation authority of the
9 board.

10 Sec. 5. Section 476.1B, subsection 1, paragraph f, Code
11 2018, is amended by striking the paragraph.

12 Sec. 6. Section 476.2, subsection 6, Code 2018, is amended
13 by striking the subsection.

14 Sec. 7. Section 476.4, subsection 1, Code 2018, is amended
15 to read as follows:

16 1. Every public utility shall file with the board tariffs
17 showing the rates and charges for its public utility services
18 and the rules and regulations under which such services were
19 furnished, on April 1, 1963, which rates and charges shall be
20 subject to investigation by the board as provided in section
21 476.3, and upon such investigation the burden of establishing
22 the reasonableness of such rates and charges shall be upon the
23 public utility filing the same. These filings shall be made
24 under such rules as the board may prescribe within such time
25 and in such form as the board may designate. In prescribing
26 rules and regulations with respect to the form of tariffs
27 and any other regulations, the board shall, in the case of
28 public utilities subject to regulation by any federal agency,
29 give due regard to any corresponding rules and regulations of
30 such federal agency, to the end that unnecessary duplication
31 of effort and expense may be avoided so far as reasonably
32 possible. Each public utility shall keep copies of its tariffs
33 open to public inspection under such rules as the board may
34 prescribe.

35 Sec. 8. Section 476.6, subsections 8 and 13, Code 2018, are

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1 amended to read as follows:

2 8. *Automatic adjustments permitted.*

3 a. This chapter does not prohibit a public utility from
4 making provision for the automatic adjustment of rates and
5 charges for public utility service provided that a schedule
6 showing the automatic adjustment of rates and charges is first
7 filed with the board.

8 b. A public utility may automatically adjust rates and
9 charges to recover costs related to transmission incurred by
10 or charged to the public utility consistent with a tariff or
11 agreement that is subject to the jurisdiction of the federal
12 energy regulatory commission, provided that a schedule showing
13 the automatic adjustment of rates and charges is first filed
14 with the board. The board shall adopt rules regarding the
15 reporting of transmission expenses and transmission-related
16 activity pursuant to this paragraph.

17 13. *Energy efficiency plans.* Electric and gas public
18 utilities shall offer energy efficiency programs to their
19 customers through energy efficiency plans. An energy
20 efficiency plan as a whole shall be cost-effective. In
21 determining the cost-effectiveness of an energy efficiency
22 plan, the board shall apply the societal test, total resource
23 cost test, utility cost test, rate-payer impact test, and
24 participant test. Energy efficiency programs for qualified
25 low-income persons and for tree planting programs, educational

26 programs, and assessments of consumers' needs for information
 27 to make effective choices regarding energy use and energy
 28 efficiency need not be cost-effective and shall not be
 29 considered in determining cost-effectiveness of plans as a
 30 whole. The energy efficiency programs in the plans may be
 31 provided by the utility or by a contractor or agent of the
 32 utility. Programs offered pursuant to this subsection by gas
 33 and electric utilities that are required to be rate-regulated
 34 shall require board approval.
 35 Sec. 9. Section 476.6, subsection 15, paragraphs a and b,

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1 Code 2018, are amended to read as follows:
 2 a. Gas and electric utilities required to be rate-regulated
 3 under this chapter shall file energy efficiency plans and
 4 demand response plans with the board as provided in paragraph
 5 "e". An energy efficiency plan and budget or a demand response
 6 plan and budget shall include a range of energy efficiency
 7 or demand response programs, tailored to the needs of all
 8 customer classes, including residential, commercial, and
 9 industrial customers, for energy efficiency or demand response
 10 opportunities. The plans shall include programs for qualified
 11 low-income persons including a cooperative program with any
 12 community action agency within the utility's service area to
 13 implement countywide or communitywide energy efficiency or
 14 demand response programs for qualified low-income persons.
 15 Rate-regulated gas and electric utilities shall utilize
 16 Iowa contractors and Iowa contractors to the maximum extent
 17 cost-effective in their energy efficiency plans and demand
 18 response plans filed with the board. A gas or electric utility
 19 shall limit any administrative costs associated with the
 20 adoption of an energy efficiency plan or demand response plan
 21 pursuant to this subsection to ten percent or less of the total
 22 costs associated with such plan.
 23 b.(1) A gas and electric utility required to be
 24 rate-regulated under this chapter shall assess potential energy
 25 and capacity savings available from actual and projected
 26 customer usage by applying commercially available technology
 27 and improved operating practices to energy-using equipment
 28 and buildings. The utility shall submit the assessment to
 29 the board. Upon receipt of the assessment, the board shall
 30 consult with the economic development authority to develop
 31 specific capacity and energy savings ~~performance standards~~
 32 goals for each utility. Such goals, except as provided for in
 33 subsection 13, shall only include cost-effective plans. The
 34 utility shall submit an energy efficiency plan which shall
 35 include economically achievable programs designed to attain

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1 these energy and capacity ~~performance standards~~ goals. The

2 board shall periodically report the energy efficiency results
3 including energy savings of each utility to the general
4 assembly.

5 (2) For purposes of this paragraph, "cost-effective" means
6 the total resource cost test result for a plan is greater
7 than one. In applying the total resource cost test, benefits
8 to be considered include avoided capacity and energy costs
9 and federal tax credits, and costs to be considered include
10 incremental costs of equipment, operation, and maintenance,
11 utility costs, and administration costs.

12 Sec. 10. Section 476.6, subsection 15, paragraphs c and d,
13 Code 2018, are amended by striking the paragraphs.

14 Sec. 11. Section 476.6, subsection 15, paragraphs e, f, and
15 g, Code 2018, are amended to read as follows:

16 e.(1) The board shall conduct contested case proceedings
17 for review of energy efficiency plans, demand response plans,
18 and budgets filed by gas and electric utilities required to be
19 rate-regulated under this chapter.

20 (2)(a) Notwithstanding the goals developed pursuant
21 to paragraph "b", the board shall not require a gas utility
22 to adopt an energy efficiency plan that results in projected
23 cumulative average annual costs that exceed one and one-half
24 percent of the gas utility's expected annual rate revenue from
25 retail customers in the state.

26 (b) Notwithstanding the goals developed pursuant to
27 paragraph "b", the board shall not require an electric utility
28 to adopt an energy efficiency plan that results in projected
29 cumulative average annual costs that exceed two percent of the
30 electric utility's expected annual rate revenue from retail
31 customers in the state.

32 (c) Notwithstanding the goals developed pursuant to
33 paragraph "b", the board shall not require an electric utility
34 to adopt a demand response plan that results in projected
35 cumulative average annual costs that exceed two percent of the

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1 electric utility's expected annual rate revenue from retail
2 customers in the state.

3 (3)(a) Each gas or electric utility required to be
4 rate-regulated under this chapter shall file an energy
5 efficiency plan or a demand response plan, or both, with the
6 board no later than October 31, 2018, which plan shall meet
7 the requirements of this subsection. Prior to the approval of
8 any plan filed pursuant to this subsection, a gas or electric
9 utility required to be rate-regulated shall continue to follow
10 the requirements of any plan approved by the board prior to the
11 effective date of this Act.

12 (b) The board may approve, reject, or modify the plans and
13 budgets submitted pursuant to this subsection. Notwithstanding
14 the provisions of section 17A.19, subsection 5, in an
15 application for judicial review of the board's decision

16 concerning a utility's ~~energy efficiency~~ plan or budget, the
 17 reviewing court shall not order a stay.

18 (c) The board shall approve, reject, or modify a plan filed
 19 pursuant to this subsection no later than March 31, 2019. If
 20 the board fails to approve, reject, or modify a plan filed by a
 21 gas or electric utility on or before such date, any plan filed
 22 by the gas or electric utility that was approved by the board
 23 prior to the effective date of this Act shall be terminated.

24 The board shall not require a gas or electric utility to
 25 implement an energy efficiency plan or demand response plan
 26 that does not meet the requirements of this subsection.

27 (4) Whenever a request to modify an approved plan or budget
 28 is filed subsequently by ~~the office of consumer advocate or a~~
 29 gas or electric utility required to be rate-regulated under
 30 this chapter, the board shall promptly initiate a formal
 31 proceeding if the board determines that any reasonable ground
 32 exists for investigating the request. The formal proceeding
 33 may be initiated at any time by the board on its own motion.
 34 Implementation of board-approved plans or budgets shall
 35 be considered continuous in nature and shall be subject to

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1 investigation at any time by the board or the office of the
 2 consumer advocate.

3 f. Notice to customers of a contested case proceeding for
 4 review of energy efficiency plans, demand response plans, and
 5 budgets shall be in a manner prescribed by the board.

6 g.(1) A gas or electric utility required to be
 7 rate-regulated under this chapter may recover, through an
 8 automatic adjustment mechanism filed pursuant to subsection 8,
 9 over a period not to exceed the term of the plan, the costs of
 10 an energy efficiency plan ~~or demand response plan~~ approved by
 11 the board, ~~including amounts for a plan approved prior to July~~
 12 ~~1, 1996~~, in a contested case proceeding conducted pursuant to
 13 paragraph "e". ~~The board shall ensure that costs are recovered~~
 14 from all customers on a reasonably comparable basis, including
 15 customers who utilize alternate energy production facilities
 16 as defined in section 476.42.

17 (2) The board shall periodically conduct a contested case
 18 proceeding to evaluate the reasonableness and prudence of the
 19 utility's implementation of an approved energy efficiency
 20 or demand response plan and budget. If a utility is not
 21 taking all reasonable actions to cost-effectively implement
 22 an approved ~~energy efficiency~~ plan, the board shall not allow
 23 the utility to recover from customers costs in excess of those
 24 costs that would be incurred under reasonable and prudent
 25 implementation and shall not allow the utility to recover
 26 future costs at a level other than what the board determines
 27 to be reasonable and prudent. If the result of a contested
 28 case proceeding is a judgment against a utility, that utility's
 29 future level of cost recovery shall be reduced by the amount by

30 which the programs were found to be imprudently conducted.
 31 (3) ~~The Beginning January 1, 2019, a gas or electric utility~~
 32 ~~shall not represent energy efficiency or demand response in~~
 33 ~~customer billings as a separate cost or expense unless the~~
 34 ~~board otherwise approves.~~
 35 Sec. 12. Section 476.6, subsection 17, Code 2018, is amended

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1 by striking the subsection.
 2 Sec. 13. Section 476.6, Code 2018, is amended by adding the
 3 following new subsection:
 4 NEW SUBSECTION. 22. *Preapproval of cost recovery for natural*
 5 *gas extensions — rules.* The board may adopt rules which
 6 provide for a preapproval process for cost recovery for natural
 7 gas extensions.
 8 Sec. 14. Section 476.20, subsection 5, paragraph a,
 9 unnumbered paragraph 1, Code 2018, is amended to read as
 10 follows:
 11 The board shall establish rules which shall be uniform with
 12 respect to all public utilities furnishing gas or electricity
 13 relating to deposits which may be required by the public
 14 utility for the initiation or reinstatement of service. This
 15 subsection shall not apply to municipally owned utilities,
 16 which shall be governed by the provisions of section 384.84
 17 with respect to deposits and payment plans for delinquent
 18 amounts owed. Municipally owned utilities and electric
 19 utilities that are not required to be rate-regulated shall not
 20 be subject to the board's rules in regards to deposits and
 21 payment plans for delinquent amounts owed and repayment of past
 22 due debt. Municipally owned utilities and electric utilities
 23 that are not required to be rate-regulated shall be subject to
 24 the board's rules in regards to payment plans made prior to the
 25 disconnection of services.
 26 Sec. 15. Section 476.21, Code 2018, is amended to read as
 27 follows:
 28 **476.21 Discrimination prohibited.**
 29 A ~~municipality~~, corporation or cooperative association
 30 providing electrical or gas service shall not consider the
 31 use of renewable energy sources by a customer as a basis for
 32 establishing discriminatory rates or charges for any service
 33 or commodity sold to the customer or discontinue services or
 34 subject the customer to any other prejudice or disadvantage
 35 based on the customer's use or intended use of renewable energy

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1 sources. As used in this section, "*renewable energy sources*"
 2 includes but is not limited to solar heating, wind power and
 3 the conversion of urban and agricultural organic wastes into
 4 methane gas and liquid fuels.
 5 Sec. 16. Section 476.33, subsection 4, Code 2018, is amended

6 to read as follows:

7 4. The board shall adopt rules that require the board, in
8 rate regulatory proceedings under sections 476.3 and 476.6, to
9 utilize either a historic test year or a future test year at
10 the rate-regulated public utility's discretion.
11 a. For a rate regulatory proceeding utilizing a historic
12 test year, the rules shall require the board to consider the
13 use of the most current test period possible in determining
14 reasonable and just rates, subject only to the availability of
15 existing and verifiable data respecting costs and revenues, and
16 in addition, to consider verifiable data that exists within
17 nine months after the conclusion of the test year, respecting
18 known and measurable changes in costs not associated with a
19 different level of revenue, and known and measurable revenues
20 not associated with a different level of costs, that are to
21 occur at any time within twelve months after the date of
22 commencement of the proceedings. Parties proposing adjustments
23 that are not verifiable at the commencement of the proceedings
24 shall include projected data related to the adjustments in
25 their initial substantive filing with the board. For purposes
26 of this ~~subsection~~ paragraph, a proceeding commences under
27 section 476.6 upon the filing date of new or changed rates,
28 charges, schedules, or regulations. ~~This subsection does not~~
29 ~~limit the authority of the board to consider other evidence in~~
30 ~~proceedings under sections 476.3 and 476.6.~~
31 b. For a rate regulatory proceeding utilizing a future test
32 year, the rules shall require the board to consider the use
33 of any twelve-month period beginning no later than the date
34 on which a proposed rate change is expected to take effect
35 in determining just and reasonable rates. The rules shall

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1 also require the board to conduct a proceeding subsequent to
2 the effective date of a rate resulting from a rate regulatory
3 proceeding utilizing a future test year to determine whether
4 the actual costs are reasonably consistent with those predicted
5 by the utility. If the actual costs are not reasonably
6 consistent with those predicted by the utility, the board shall
7 adjust the rates accordingly. For a rate regulatory proceeding
8 utilizing a future test year, the board may adopt rules
9 regarding evidence required, information to support forecasts,
10 and any reporting obligations. The board may also adopt rules
11 regarding the conditions under which a public utility that
12 utilizes a future test year may subsequently utilize a historic
13 test year. A public utility shall not be precluded from filing
14 a rate regulatory proceeding utilizing a future test year prior
15 to the adoption of any rules pursuant to this paragraph.
16 c. This subsection does not limit the authority of the board
17 to consider other evidence in proceedings under sections 476.3
18 and 476.6.
19 Sec. 17. Section 476.53, subsection 3, paragraph a,

20 subparagraph (1), subparagraph division (a), Code 2018, is
 21 amended by adding the following new subparagraph subdivision:
 22 NEW SUBPARAGRAPH SUBDIVISION. (v) Repowering of an
 23 alternate energy production facility. For purposes of this
 24 subparagraph subdivision, “*repowering*” shall mean either the
 25 complete dismantling and replacement of generation equipment at
 26 an existing project site, or the installation of new parts and
 27 equipment to an existing alternate energy production facility
 28 in order to increase energy production, reduce load, increase
 29 service capacity, improve project reliability, or extend the
 30 useful life of the facility.
 31 Sec. 18.STUDY OF ELECTRIC VEHICLE INFRASTRUCTURE
 32 SUPPORT. The economic development authority, in collaboration
 33 with the department of transportation and the Iowa utility
 34 industry, shall conduct a study of electric vehicle
 35 infrastructure support for both commercial and noncommercial

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1 vehicles and make recommendations to the general assembly
 2 regarding electric vehicle charging infrastructure. The study
 3 shall evaluate the relative costs and benefits associated with
 4 various options for electric vehicle infrastructure support.
 5 The economic development authority shall submit a report to the
 6 general assembly containing the results of the study no later
 7 than June 30, 2019.
 8 Sec. 19.EFFECTIVE DATE. The following, being deemed of
 9 immediate importance, takes effect upon enactment:
 10 The section of this Act amending section 476.6, subsection
 11 15, paragraphs “e”, “f”, and “g”.>
 12 2. Title page, line 2, by striking <utilities> and
 13 inserting <utilities, providing for a study of electric
 14 vehicle infrastructure support, and including effective date
 15 provisions>

CARLSON of Muscatine

H-8341

1 Amend Senate File 2169, as passed by the Senate, as follows:
 2 1. Page 1, line 1, by striking <2017> and inserting <2018>
 3 2. Page 1, line 3, by striking <innocent third party> and
 4 inserting <third party who is not the intoxicated person who
 5 caused the injury at issue and>
 6 3. Page 1, line 7, by striking <or “d”>
 7 4. Page 1, by striking lines 22 through 30 and inserting:
 8 <c. The total amount recoverable by each plaintiff in any
 9 civil action for noneconomic damages for personal injury,
 10 whether in tort, contract, or otherwise, against a licensee
 11 or permittee, shall be limited to two hundred fifty thousand
 12 dollars for any injury or death of a person, unless the jury
 13 determines that there is a substantial or permanent loss or

14 impairment of a bodily function, substantial disfigurement,
 15 or death, which warrants a finding that imposition of such a
 16 limitation would deprive the plaintiff of just compensation for
 17 the injuries sustained.>

18 5. Page 1, before line 31 by inserting:

19 <Sec. ____ Section 123.92, Code 2018, is amended by adding
 20 the following new subsection:

21 NEW SUBSECTION. 4. The division shall biennially conduct
 22 an evaluation concerning minimum coverage requirements of
 23 dramshop liability insurance. In conducting the evaluation,
 24 the division shall include a comparison of other states'
 25 minimum dramshop liability insurance coverage and any other
 26 relevant issues the division identifies. By January 31, 2019,
 27 and every two years thereafter, the division shall submit a
 28 report, including any findings and recommendations, to the
 29 general assembly as provided in chapter 7A.>

30 6. By renumbering as necessary.

BEST of Carroll
 McKEAN of Jones

H-8342

1 Amend Senate File 2311, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 20, after line 4 by inserting:

4 <Sec. ____.STUDY ON DRAM SHOP LIABILITY INSURANCE
 5 CLAIMS. The commissioner of insurance shall conduct a study to
 6 determine whether the insurance premiums paid by Iowa alcoholic
 7 beverage licensees for dram shop liability coverage are
 8 appropriate. In doing so, the commissioner of insurance shall
 9 develop a report that includes the total premiums collected
 10 by dram shop liability carriers in the state and the history
 11 of claims, including whether a claim was settled, a lawsuit
 12 was filed, or a jury verdict was rendered. The commissioner
 13 shall ensure that there is no change in insurance premium
 14 amounts paid by Iowa alcoholic beverage licensees for dram shop
 15 liability coverage until the completion of the study on dram
 16 shop liability insurance claims pursuant to this section.>

17 2. Title page, line 2, after <utilities> by inserting <and
 18 providing for a study on dram shop liability insurance>

19 3. By renumbering as necessary.

KRESSIG of Black Hawk

H-8343

1 Amend Senate File 2169, as passed by the Senate, as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 123.49, subsection 2, Code 2018, is
 4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *l.* Sell refrigerated wine or beer for

- 6 consumption off the premises.>
 7 2. Title page, line 2, after <injuries> by inserting <,
 8 prohibiting a licensee or permittee from selling refrigerated
 9 wine or beer for off-premise consumption, and providing
 10 penalties>
 11 3. By renumbering as necessary.

BAUDLER of Adair

H-8344

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 6, by striking lines 18 through 22 and inserting
 4 <response plans filed with the board.>

WATTS of Dallas

H-8345

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 6, line 2, after <a.> by inserting <(1)>
 4 2. Page 6, before line 23 by inserting:
 5 <(2) A rate-regulated gas or electric utility customer may
 6 elect to participate in an energy efficiency plan or demand
 7 response plan offered by a gas or electric utility pursuant to
 8 this subsection. A customer that does not elect to participate
 9 in an energy efficiency plan or demand response plan offered
 10 by a gas or electric utility shall not be assessed the costs
 11 of such plan. A gas or electric utility may adjust any energy
 12 efficiency plan or demand response plan filed with the board
 13 due to changes in funding as a result of customer participation
 14 in such plan.>

WATTS of Dallas

H-8346

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 4 by inserting:
 4 <Sec. ____ Section 8A.412, subsection 11, Code 2018, is
 5 amended to read as follows:
 6 11. Professional employees under the supervision of the
 7 attorney general, the state public defender, the secretary
 8 of state, the auditor of state, the treasurer of state, and
 9 the public employment relations board. However, employees of
 10 ~~the consumer advocate division of the department of justice,~~
 11 ~~other than the consumer advocate, and~~ administrative law judges
 12 appointed or employed by the public employment relations board
 13 are subject to the merit system.
 14 Sec. ____ Section 12.91, subsection 1, paragraph b, Code

15 2018, is amended to read as follows:

16 *b. "Chargeable expenses"* means expenses charged by the
17 utilities board ~~and the consumer advocate division of the~~
18 ~~department of justice~~ under section 476.10.

19 Sec. ____ Section 15.120, subsection 2, paragraph a,
20 subparagraph (8), Code 2018, is amended by striking the
21 subparagraph.

22 Sec. ____ Section 17A.2, subsection 1, Code 2018, is amended
23 to read as follows:

24 1. "*Agency*" means each board, commission, department,
25 officer or other administrative office or unit of the state.
26 "*Agency*" does not mean the general assembly, the judicial branch
27 or any of its components, ~~the office of consumer advocate,~~
28 the governor, or a political subdivision of the state or its
29 offices and units. Unless provided otherwise by statute, no
30 less than two-thirds of the members eligible to vote of a
31 multimember agency constitute a quorum authorized to act in the
32 name of the agency.

33 Sec. ____ Section 20.4, subsection 9, Code 2018, is amended
34 to read as follows:

35 9. Persons employed by the state department of justice,

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1 ~~except nonsupervisory employees of the consumer advocate~~
2 ~~division who are employed primarily for the purpose of~~
3 ~~performing technical analysis of nonlegal issues.>~~

4 2. Page 2, after line 21 by inserting:

5 <Sec. ____ Section 68B.35, subsection 2, paragraph e, Code
6 2018, is amended to read as follows:

7 *e.* Members of the state banking council, the Iowa ethics
8 and campaign disclosure board, the credit union review board,
9 the economic development authority, the employment appeal
10 board, the environmental protection commission, the health
11 facilities council, the Iowa finance authority, the Iowa public
12 employees' retirement system investment board, the board of
13 the Iowa lottery authority, the natural resource commission,
14 the board of parole, the petroleum underground storage tank
15 fund board, the public employment relations board, the state
16 racing and gaming commission, the state board of regents, the
17 transportation commission, ~~the office of consumer advocate,~~ the
18 utilities board, the Iowa telecommunications and technology
19 commission, and any full-time members of other boards and
20 commissions as defined under section 7E.4 who receive an annual
21 salary for their service on the board or commission. The Iowa
22 ethics and campaign disclosure board shall conduct an annual
23 review to determine if members of any other board, commission,
24 or authority should file a statement and shall require the
25 filing of a statement pursuant to rules adopted pursuant to
26 chapter 17A.

27 Sec. ____ Section 422.7, subsection 2, paragraph d, Code
28 2018, is amended to read as follows:

29 *d.* Iowa utility board ~~and Iowa consumer advocate~~ building
 30 project bonds pursuant to section 12.91, subsection 9.
 31 Sec. ____ Section 474.1, subsection 3, Code 2018, is amended
 32 to read as follows:
 33 3. As used in this chapter and chapters ~~475A, 476, 476A,~~
 34 478, 479, 479A, and 479B, “*division*” and “*utilities division*”
 35 mean the utilities division of the department of commerce.>

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1 3. Page 3, lines 2 and 3, by striking <and the office of
 2 consumer advocate,>
 3 4. Page 4, after line 9 by inserting:
 4 <Sec. ____ Section 476.1B, subsection 1, paragraphs a and l,
 5 Code 2018, are amended to read as follows:
 6 *a.* Assessment of fees for the support of the division
 7 ~~and the office of consumer advocate~~, as set forth in section
 8 476.10.
 9 *l.* Filing energy efficiency plans and energy efficiency
 10 results with the board. The energy efficiency plans as a whole
 11 shall be cost-effective. The board may permit these utilities
 12 to file joint plans. ~~The board shall periodically report the~~
 13 ~~energy efficiency results including energy savings of each of~~
 14 ~~these utilities to the general assembly.>~~
 15 5. Page 4, after line 11 by inserting:
 16 <Sec. ____ Section 476.1C, subsection 2, Code 2018, is
 17 amended to read as follows:
 18 2. If, as a result of a review of a proposed new or changed
 19 rate, charge, schedule, or regulation of a gas public utility
 20 having fewer than two thousand customers, the ~~consumer advocate~~
 21 ~~alleges in a filing with the board~~ has reason to believe that
 22 the utility rates are excessive, the disputed amounts shall be
 23 ~~specified by the consumer advocate in the filing in a filing~~
 24 by the board. The gas public utility shall, within the time
 25 prescribed by the board, file a bond or undertaking approved by
 26 the board conditioned upon the refund in a manner prescribed
 27 by the board of amounts collected after the date of the filing
 28 which are in excess of rates or charges finally determined by
 29 the board to be lawful. If after formal proceeding and hearing
 30 pursuant to section 476.6 the board finds that the utility
 31 rates are unlawful, the board shall order a refund, with
 32 interest, of amounts collected after the date of the filing
 33 ~~of the petition~~ that are determined to be in excess of the
 34 amounts which would have been collected under the rates finally
 35 approved. However, the board shall not order a refund that is

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1 greater than the amount specified in the ~~petition filing~~, plus
 2 interest. If the board fails to render a decision within ten
 3 months following the date of the filing of the petition, the
 4 board shall not order a refund of any excess amounts that are

5 collected after the expiration of that ten-month period and
6 prior to the date the decision is rendered.>

7 6. Page 4, after line 13 by inserting:

8 <Sec. ___. Section 476.3, subsections 1 and 2, Code 2018,
9 are amended to read as follows:

10 1. A public utility shall furnish reasonably adequate
11 service at rates and charges in accordance with tariffs filed
12 with the board. When there is filed with the board by any
13 person or body politic, or filed by the board upon its own
14 motion, a written complaint requesting the board to determine
15 the reasonableness of the rates, charges, schedules, service,
16 regulations, or anything done or omitted to be done by a
17 public utility subject to this chapter in contravention of
18 this chapter, the written complaint shall be forwarded by
19 the board to the public utility, which shall be called upon
20 to satisfy the complaint or to answer it in writing within a
21 reasonable time to be specified by the board. ~~Copies of the~~
22 ~~written complaint forwarded by the board to the public utility~~
23 ~~and copies of all correspondence from the public utility in~~
24 ~~response to the complaint shall be provided by the board in~~
25 ~~an expeditious manner to the consumer advocate.~~ If the board
26 determines the public utility's response is inadequate and
27 there appears to be any reasonable ground for investigating
28 the complaint, the board shall promptly initiate a formal
29 proceeding. ~~If the consumer advocate determines the public~~
30 ~~utility's response to the complaint is inadequate, the consumer~~
31 ~~advocate may file a petition with the board which shall~~
32 ~~promptly initiate a formal proceeding if the board determines~~
33 ~~that there is any reasonable ground for investigating the~~
34 ~~complaint.~~ The complainant or the public utility also may
35 petition the board to initiate a formal proceeding which

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1 petition shall be granted if the board determines that there
2 is any reasonable ground for investigating the complaint. The
3 formal proceeding may be initiated at any time by the board on
4 its own motion. If a proceeding is initiated upon petition
5 filed by the ~~consumer advocate~~, complainant, or the public
6 utility, or upon the board's own motion, the board shall set
7 the case for hearing and give notice as it deems appropriate.
8 When the board, after a hearing held after reasonable notice,
9 finds a public utility's rates, charges, schedules, service,
10 or regulations are unjust, unreasonable, discriminatory, or
11 otherwise in violation of any provision of law, the board
12 shall determine just, reasonable, and nondiscriminatory rates,
13 charges, schedules, service, or regulations to be observed and
14 enforced.

15 2. If, as a result of a review procedure conducted under
16 section 476.31, a review conducted under section 476.32, a
17 special audit, or an investigation by division staff, ~~or an~~
18 ~~investigation by the consumer advocate~~, a petition is filed

19 ~~with the board by the consumer advocate, alleging the board~~
 20 ~~has reason to believe~~ that a utility's rates are excessive,
 21 the disputed amount shall be specified ~~in the petition in a~~
 22 filing by the board. The public utility shall, within the time
 23 prescribed by the board, file a bond or undertaking approved by
 24 the board conditioned upon the refund in a manner prescribed by
 25 the board of amounts collected after the date of ~~the filing of~~
 26 ~~the petition~~ in excess of rates or charges finally determined
 27 by the board to be lawful. If upon hearing the board finds
 28 that the utility's rates are unlawful, the board shall order
 29 a refund, with interest, of amounts collected after the date
 30 of ~~the filing of the petition~~ that are determined to be in
 31 excess of the amounts which would have been collected under
 32 the rates finally approved. However, the board shall not
 33 order a refund that is greater than the amount specified in
 34 the ~~petition~~ filing, plus interest, and if the board fails
 35 to render a decision within ten months following the date of

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1 ~~filing of the petition~~, the board shall not order a refund of
 2 any excess amounts that are collected after the expiration of
 3 that ten-month period and prior to the date the decision is
 4 rendered.>
 5 7. Page 9, lines 1 and 2, by striking <or the office of the
 6 consumer advocate> and inserting <~~or the office of the consumer~~
 7 ~~advocate~~>
 8 8. Page 10, after line 7 by inserting:
 9 <Sec. ___. Section 476.10, subsections 1, 3, and 4, Code
 10 2018, are amended to read as follows:
 11 1.a. In order to carry out the duties imposed upon
 12 it by law, the board may, at its discretion, allocate and
 13 charge directly the expenses attributable to its duties
 14 to the person bringing a proceeding before the board or to
 15 persons participating in matters before the board. The board
 16 shall ascertain the certified expenses incurred and directly
 17 chargeable ~~by the consumer advocate division of the department~~
 18 ~~of justice~~ in the performance of its duties. The board ~~and the~~
 19 ~~consumer advocate separately~~ may decide not to charge expenses
 20 to persons who, without expanding the scope of the proceeding
 21 or matter, intervene in good faith in a board proceeding
 22 initiated by a person subject to the board's jurisdiction;
 23 ~~the consumer advocate~~, or the board on its own motion. For
 24 assessments in any proceedings or matters before the board, the
 25 board ~~and the consumer advocate separately~~ may consider the
 26 financial resources of the person, the impact of assessment on
 27 participation by intervenors, the nature of the proceeding or
 28 matter, and the contribution of a person's participation to the
 29 public interest. The board may present a bill for expenses
 30 under this subsection to the person, either at the conclusion
 31 of a proceeding or matter, or from time to time during its
 32 progress. Presentation of a bill for expenses under this

33 subsection constitutes notice of direct assessment and request
34 for payment in accordance with this section.
35 *b.* The board shall ascertain the total of the division's

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1 expenses incurred during each fiscal year in the performance
2 of its duties under law. ~~The board shall add to the total of~~
3 ~~the division's expenses the certified expenses of the consumer~~
4 ~~advocate as provided under section 475A.6.~~ The board shall
5 deduct all amounts charged directly to any person from the
6 total expenses of the board ~~and the consumer advocate.~~ The
7 board may assess the amount remaining after the deduction
8 to all persons providing service over which the board has
9 jurisdiction in proportion to the respective gross operating
10 revenues of such persons from intrastate operations during the
11 last calendar year over which the board has jurisdiction. For
12 purposes of determining gross operating revenues under this
13 section, the board shall not include gross receipts received
14 by a cooperative corporation or association for wholesale
15 transactions with members of the cooperative corporation
16 or association, provided that the members are subject to
17 assessment by the board based upon the members' gross operating
18 revenues, or provided that such a member is an association
19 whose members are subject to assessment by the board based upon
20 the members' gross operating revenues. If any portion of the
21 remainder can be identified with a specific type of utility
22 service, the board shall assess those expenses only to the
23 entities providing that type of service over which the board
24 has jurisdiction. The board may make the remainder assessments
25 under this paragraph on a quarterly basis, based upon estimates
26 of the expenditures for the fiscal year for the utilities
27 division ~~and the consumer advocate.~~ Not more than ninety days
28 following the close of the fiscal year, the utilities division
29 shall conform the amount of the prior fiscal year's assessments
30 to the requirements of this paragraph. For gas and electric
31 public utilities exempted from rate regulation pursuant to
32 this chapter, the remainder assessments under this paragraph
33 shall be computed at one-half the rate used in computing the
34 assessment for other persons.
35 3. Whenever the board shall deem it necessary in order

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1 to carry out the duties imposed upon it in connection with
2 rate regulation under section 476.6, investigations under
3 section 476.3, or review proceedings under section 476.31,
4 the board may employ additional temporary or permanent staff,
5 or may contract with persons who are not state employees for
6 engineering, accounting, or other professional services, or
7 both. The costs of these additional employees and contract
8 services shall be paid by the public utility whose rates

9 are being reviewed in the same manner as other expenses are
 10 paid under this section. Beginning on July 1, 1991, there
 11 is appropriated out of any funds in the state treasury not
 12 otherwise appropriated, such sums as may be necessary to enable
 13 the board to hire additional staff and contract for services
 14 under this section. The board shall increase quarterly
 15 assessments specified in subsection 1, paragraph "b", by
 16 amounts necessary to enable the board to hire additional staff
 17 and contract for services under this section. The authority to
 18 hire additional temporary or permanent staff that is granted to
 19 the board by this section shall not be subject to limitation
 20 by any administrative or executive order or decision that
 21 restricts the number of state employees or the filling of
 22 employee vacancies, and shall not be subject to limitation
 23 by any law of this state that restricts the number of state
 24 employees or the filling of employee vacancies unless that
 25 law is made applicable to this section by express reference
 26 to this section. Before the board expends or encumbers an
 27 amount in excess of the funds budgeted for rate regulation and
 28 before the board increases quarterly assessments pursuant to
 29 this subsection, the director of the department of management
 30 shall approve the expenditure or encumbrance. Before approval
 31 is given, the director of the department of management shall
 32 determine that the expenses exceed the funds budgeted by the
 33 general assembly to the board for rate regulation and that
 34 the board does not have other funds from which the expenses
 35 can be paid. Upon approval of the director of the department

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1 of management the board may expend and encumber funds for
 2 the excess expenses, and increase quarterly assessments to
 3 raise the additional funds. The board ~~and the office of~~
 4 ~~consumer advocate~~ may add additional personnel or contract
 5 for additional assistance to review and evaluate energy
 6 efficiency plans and the implementation of energy efficiency
 7 programs including, but not limited to, professionally trained
 8 engineers, accountants, attorneys, skilled examiners and
 9 inspectors, and secretaries and clerks. The board ~~and the~~
 10 ~~office of consumer advocate~~ may also contract for additional
 11 assistance in the evaluation and implementation of issues
 12 relating to telecommunication competition. The board ~~and the~~
 13 ~~office of the consumer advocate~~ may expend additional sums
 14 beyond those sums appropriated. However, the authority to add
 15 additional personnel or contract for additional assistance
 16 must first be approved by the department of management. The
 17 additional sums for energy efficiency shall be provided to the
 18 board ~~and the office of the consumer advocate~~ by the utilities
 19 subject to the energy efficiency requirements in this chapter.
 20 Telephone companies shall pay any additional sums needed for
 21 assistance with telecommunication competition issues. The
 22 assessments shall be in addition to and separate from the

23 quarterly assessment.

24 4.a. Fees paid to the utilities division shall be
 25 deposited in the department of commerce revolving fund created
 26 in section 546.12. These funds shall be used for the payment,
 27 upon appropriation by the general assembly, of the expenses of
 28 the utilities division ~~and the consumer advocate division of~~
 29 ~~the department of justice.~~

30 b. The administrator ~~and consumer advocate~~ shall account
 31 for receipts and disbursements according to the separate duties
 32 imposed upon the utilities ~~and consumer advocate divisions~~
 33 division by the laws of this state and each separate duty shall
 34 be fiscally self-sustaining.

35 c. All fees and other moneys collected under this section

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1 and sections 478.4, 479.16, and 479A.9 shall be deposited into
 2 the department of commerce revolving fund created in section
 3 546.12 and expenses required to be paid under this section
 4 shall be paid from funds appropriated for those purposes.

5 Sec. ____. Section 476.10B, subsections 1 and 2, Code 2018,
 6 are amended to read as follows:

7 1. For the purposes of this section, "*building project*
 8 *expenses*" means expenses that have been approved by the
 9 utilities board for the building and related improvements
 10 and furnishings developed under this section and that are
 11 considered part of the regulatory expenses charged by the
 12 utilities board ~~and the consumer advocate division of the~~
 13 ~~department of justice~~ for carrying out duties under section
 14 476.10.

15 2. The department of administrative services, in
 16 consultation with the board ~~and the consumer advocate~~
 17 ~~division of the department of justice~~, shall provide for the
 18 construction of a building to house the board ~~and the division~~.
 19 A building developed under this subsection shall be a model
 20 energy-efficient building that may be used as a public example
 21 for similar efforts. The building shall comply with the life
 22 cycle cost provisions developed pursuant to section 72.5. The
 23 building shall be located on the capitol complex grounds or
 24 at another convenient location in the vicinity of the capitol
 25 complex grounds.>

26 9. Page 12, after line 18 by inserting:

27 <Sec. ____. Section 476.42, Code 2018, is amended by adding
 28 the following new subsections:

29 NEW SUBSECTION. 1A. "*Avoided cost*" means the cost an
 30 electric utility would otherwise have incurred had the electric
 31 utility generated the electricity the utility purchased
 32 pursuant to a net metering agreement or purchased or obtained
 33 the electricity from another source.

34 NEW SUBSECTION. 2A. "*Net metering*" means the
 35 interconnection of an alternate energy production facility

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1 or small hydro facility with an electric utility whereby
 2 electricity produced by the facility and consumed on site
 3 offsets electricity that would otherwise be purchased from
 4 the electric utility, and excess electricity produced by the
 5 facility is transferred to the utility's electrical grid.

6 Sec. ____ Section 476.43, subsection 2, Code 2018, is
 7 amended to read as follows:

8 2. Upon application by the owner or operator of an alternate
 9 energy production facility or small hydro facility or any
 10 interested party, and subject to subsection 5A, the board shall
 11 establish for the affected public utility just and economically
 12 reasonable rates for electricity purchased under subsection
 13 1, paragraph "a". The rates shall be established at levels
 14 sufficient to stimulate the development of alternate energy
 15 production and small hydro facilities in Iowa and to encourage
 16 the continuation of existing capacity from those facilities.

17 Sec. ____ Section 476.43, Code 2018, is amended by adding
 18 the following new subsection:

19 NEW SUBSECTION. 5A. A rate-regulated electric utility
 20 that purchases electricity from an alternate energy production
 21 facility or small hydro facility pursuant to a net metering
 22 agreement entered into on or after July 1, 2018, shall do so in
 23 accordance with the following conditions:

24 a. Net metering shall be available to any alternate energy
 25 production facility or small hydro facility with up to one
 26 megawatt of nameplate generating capacity, to offset up to one
 27 hundred percent of a net-metered customer's load.

28 b. Net metering shall be available to all customer classes,
 29 provided, however, that each customer's generation shall only
 30 offset energy charges, and shall not offset customer charges
 31 or demand charges.

32 c. The utility shall provide for an annual cash-out of net
 33 excess generation, or excess credits, at a rate that is based
 34 upon, and does not exceed, the utility's avoided cost. The
 35 annual cash-out shall take place during the first billing cycle

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1 of the calendar year. The funds from the cash-out shall be
 2 divided equally between the customer and the utility to provide
 3 assistance to customers in need, or the customer may elect to
 4 allow up to all of the excess credits to be distributed to
 5 provide assistance to customers in need.>

6 10. Page 12, after line 30 by inserting:

7 <Sec. ____ Section 476.53, subsection 4, Code 2018, is
 8 amended to read as follows:

9 4. The utilities board ~~and the consumer advocate~~ may employ
 10 additional temporary staff, or may contract for professional
 11 services with persons who are not state employees, as the board
 12 ~~and the consumer advocate deem~~ deems necessary to perform

13 required functions as provided in this section, including but
 14 not limited to review of power purchase contracts, review of
 15 emission plans and budgets, and review of ratemaking principles
 16 proposed for construction or lease of a new generating
 17 facility. Beginning July 1, 2002, there is appropriated out
 18 of any funds in the state treasury not otherwise appropriated,
 19 such sums as may be necessary to enable the board ~~and the~~
 20 ~~consumer advocate~~ to hire additional staff and contract for
 21 services under this section. The costs of the additional staff
 22 and services shall be assessed to the utilities pursuant to the
 23 procedure in section 476.10 ~~and section 475A.6.~~

24 Sec. ____ Section 476.103, subsection 3, paragraph g, Code
 25 2018, is amended to read as follows:

26 g. Procedures for a customer; ~~or~~ service provider; ~~or~~
 27 ~~the consumer advocate~~ to submit to the board complaints of
 28 unauthorized changes in service.

29 Sec. ____ Section 477C.5, subsection 2, Code 2018, is
 30 amended to read as follows:

31 2. The council shall consist of:

32 a. ~~Six~~ Seven consumers who have communication impairments.

33 b. Two representatives from telephone companies.

34 c. One representative from the office of deaf services of
 35 the department of human rights.

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1 ~~d. One representative from the office of the consumer~~
 2 ~~advocate of the department of justice.~~

3 e. d. One member of the board or a designee of the board.

4 Sec. ____ Section 546.12, subsections 1 and 2, Code 2018,
 5 are amended to read as follows:

6 1. A department of commerce revolving fund is created in
 7 the state treasury. The fund shall consist of moneys collected
 8 by the banking division; credit union division; utilities
 9 division, ~~including moneys collected on behalf of the office~~
 10 ~~of consumer advocate established in section 475A.3;~~ and the
 11 insurance division of the department; and deposited into an
 12 account for that division ~~or office~~ within the fund on a
 13 monthly basis. Except as otherwise provided by statute, all
 14 costs for operating ~~the office of consumer advocate and the~~
 15 banking division, the credit union division, the utilities
 16 division, and the insurance division of the department shall be
 17 paid from the division's accounts within the fund, subject to
 18 appropriation by the general assembly. The insurance division
 19 shall administer the fund and all other divisions shall work
 20 with the insurance division to make sure the fund is properly
 21 accounted and reported to the department of management and the
 22 department of administrative services. The divisions shall
 23 provide quarterly reports to the department of management
 24 and the legislative services agency on revenues billed and
 25 collected and expenditures from the fund in a format as
 26 determined by the department of management in consultation with

27 the legislative services agency.
 28 2. To meet cash flow needs for the ~~office of consumer~~
 29 ~~advocate and the~~ banking division, credit union division,
 30 utilities division, or the insurance division of the
 31 department, the administrative head of that division ~~or~~
 32 ~~office~~ may temporarily use funds from the general fund of the
 33 state to pay expenses in excess of moneys available in the
 34 revolving fund for that division ~~or office~~ if those additional
 35 expenditures are fully reimbursable and the division ~~or office~~

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1 reimburses the general fund of the state and ensures all
 2 moneys are repaid in full by the close of the fiscal year.
 3 Notwithstanding any provision to the contrary, the divisions
 4 shall, to the fullest extent possible, make an estimate
 5 of billings and make such billings as early as possible in
 6 each fiscal year, so that the need for the use of general
 7 fund moneys is minimized to the lowest extent possible.
 8 Periodic billings shall be deemed sufficient to satisfy this
 9 requirement. Because any general fund moneys used shall be
 10 fully reimbursed, such temporary use of funds from the general
 11 fund of the state shall not constitute an appropriation for
 12 purposes of calculating the state general fund expenditure
 13 limitation pursuant to section 8.54.
 14 Sec. __.REPEAL. Chapter 475A, Code 2018, is repealed.>
 15 11. Page 13, line 13, after <<utilities,> by inserting
 16 <repealing provisions establishing the office of consumer
 17 advocate,>
 18 12. By renumbering as necessary.

WATTS of Dallas

H-8347

1 Amend Senate File 481, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 7, after line 18 by inserting:
 4 <Sec. __.NEW SECTION. 825.12 Counseling for children of
 5 **deportees — federal reimbursement.**
 6 1. For purposes of this section, “*department*” means the
 7 department of human services.
 8 2. The department shall establish a program to provide
 9 counseling services to children eighteen years of age or
 10 younger whose family member has been detained or subject to
 11 federal deportation proceedings as a result of immigration
 12 enforcement actions carried out by state or local law
 13 enforcement agencies as required under this chapter. Such
 14 counseling shall include emotional, physical, mental, and
 15 other support services to assist children in coping with the
 16 detention or deportation of a family member. The department
 17 shall coordinate with area education agencies to provide such

18 services.

19 3. The department shall seek reimbursement from the United
20 States departments of health and human services, education, and
21 homeland security, or any other appropriate federal agency, for
22 the cost of implementing this section. The department shall
23 carry out any actions necessary to obtain such reimbursement.
24 The department shall reimburse area education agencies for any
25 expenses incurred in implementing this section from moneys
26 received from any federal agency pursuant to this subsection.>
27 2. By renumbering as necessary.

ABDUL-SAMAD of Polk

H-8348

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 9, line 31, by striking <Beginning January 1, 2019,
4 a> and inserting <A>

WATTS of Dallas

H-8349

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. By striking page 12, line 31, through page 13, line 7.
4 2. Page 13, lines 13 and 14, by striking <utilities,
5 providing for a study of electric vehicle infrastructure
6 support,> and inserting <utilities>
7 3. By renumbering as necessary.

WATTS of Dallas

H-8350

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 15 through 24 and inserting:
4 <g. Filing energy efficiency plans and energy efficiency
5 results with the board. The energy efficiency plans as a
6 whole shall be cost effective. The board may permit these
7 utilities to file joint plans. The board shall periodically
8 report the energy efficiency results including energy savings
9 of each of these utilities to the general assembly. The board
10 may waive all or part of the energy efficiency filing and
11 review requirements for electric cooperative corporations and
12 associations and electric public utilities which demonstrate
13 superior results with existing energy efficiency efforts.>
14 2. Page 4, lines 10 and 11, by striking <paragraph f, Code
15 2018, is amended by striking the paragraph> and inserting
16 <paragraphs f and l, Code 2018, are amended by striking the
17 paragraphs>

- 18 3. Page 6, line 3, after <file> by inserting <five-year>
 19 4. Page 6, lines 13 and 14, by striking <or demand response>
 20 5. Page 9, line 16, after <476.42> by inserting <that are
 21 installed on or before December 31, 2018>
 22 6. Page 12, by striking lines 4 through 6 and inserting <the
 23 actual costs and revenues are reasonably consistent with those
 24 approved by the board. If the actual costs and revenues are
 25 not reasonably consistent with those approved by the board, the
 26 board shall>
 27 7. Page 12, line 15, by striking <paragraph> and inserting
 28 <subsection>

CARLSON of Muscatine

H-8351

- 1 Amend House File 2258, as passed by the House, as follows:
 2 1. Page 1, by striking lines 9 through 11 and inserting
 3 <approved project, to reimburse the governmental entity for
 4 funds advanced internally or to help make payments on bonds
 5 incurred to pay for approved projects, and to pay principal and
 6 interest on bonds issued>

SENATE AMENDMENT

H-8352

- 1 Amend House File 2277, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 18 through 32 and inserting:
 4 <3. a. However, the The following vital statistics records
 5 in the custody of a county registrar may be inspected and
 6 copied as of right under chapter 22 when they are in the custody
 7 of a county registrar or when they are in the custody of the
 8 state archivist and are at least seventy-five years old:
 9 a. (1) A record of birth.
 10 b. (2) A record of marriage.
 11 c. (3) A record of divorce, dissolution of marriage, or
 12 annulment of marriage.
 13 d. (4) A record of death if that death was not a fetal
 14 death.
 15 b. The following vital statistics records in the custody
 16 of the state archivist may be inspected and copied as of right
 17 under chapter 22:
 18 (1) A record of birth that is at least seventy-five years
 19 old.
 20 (2) A record of marriage that is at least seventy-five years
 21 old.
 22 (3) A record of divorce, dissolution of marriage, or
 23 annulment of marriage that is at least seventy-five years old.
 24 (4) A record of death or fetal death, either of which is at
 25 least fifty years old.>

SENATE AMENDMENT

H-8353

1 Amend House File 2445, as passed by the House, as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I>

4 2. Page 13, after line 1 by inserting:

5 <DIVISION II

6 Sec. ____ Section 35D.9, Code 2018, is amended to read as
7 follows:

8 **35D.9 County of ~~settlement~~ residence upon discharge.**

9 A member of the home does not acquire ~~legal settlement~~
10 ~~residency~~ in the county in which the home is located unless
11 the member is voluntarily or involuntarily discharged from the
12 home, ~~continuously resides in the county for a period of one~~
13 ~~year subsequent to the discharge, and during that year is not~~
14 ~~readmitted to the home or does not receive any services from~~
15 ~~the home and the member meets county of residence requirements.~~
16 For purposes of this section, "county of residence" means the
17 same as defined in section 331.394.

18 Sec. ____ Section 125.2, Code 2018, is amended by adding the
19 following new subsection:

20 **NEW SUBSECTION. 4A. "County of residence" means the same**
21 **as defined in section 331.394.**

22 Sec. ____ Section 125.2, subsection 13, Code 2018, is
23 amended by striking the subsection.

24 Sec. ____ Section 139A.12, Code 2018, is amended to read as
25 follows:

26 **139A.12 County liability for care, provisions, and medical**
27 **attendance.**

28 The local board shall provide proper care, provisions, and
29 medical attendance for any person removed and isolated or
30 quarantined in a separate house or hospital for detention and
31 treatment, and the care, provisions, and medical attendance
32 shall be paid for by the county in which the infected person
33 has a ~~legal settlement~~ residence, if the patient or legal
34 guardian is unable to pay.

35 Sec. ____ Section 139A.18, Code 2018, is amended to read as

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1 follows:

2 **139A.18 Reimbursement from county.**

3 If any person receives services or supplies under this
4 chapter who does not have a ~~legal settlement~~ residence in the
5 county in which the bills were incurred and paid, the amount
6 paid shall be certified to the board of supervisors of the
7 county in which the person claims settlement or owns property,
8 and the board of supervisors of that county shall reimburse the
9 county from which the claim is certified, in the full amount

10 originally paid.

11 Sec. ____ Section 232.141, subsections 7 and 8, Code 2018,
12 are amended to read as follows:

13 7. A county charged with the costs and expenses under
14 subsections 2 and 3 may recover the costs and expenses from the
15 ~~county where the child has legal settlement~~ child's custodial
16 parent's county of residence, as defined in section 331.394,
17 by filing verified claims which are payable as are other
18 claims against the county. A detailed statement of the facts
19 upon which a claim is based shall accompany the claim. ~~Any~~
20 ~~dispute involving the legal settlement of a child for which the~~
21 ~~court has ordered payment under this section shall be settled~~
22 ~~pursuant to sections 252.22 and 252.23.~~

23 8. This subsection applies only to placements in a juvenile
24 shelter care home which is publicly owned, operated as a county
25 or multicounty shelter care home, organized under a chapter 28E
26 agreement, or operated by a private juvenile shelter care home.
27 If the actual and allowable costs of a child's shelter care
28 placement exceed the amount the department is authorized to
29 pay in accordance with law and administrative rule, the unpaid
30 costs may be recovered from the child's custodial parent's
31 county of legal settlement residence. However, the maximum
32 amount of the unpaid costs which may be recovered under this
33 subsection is limited to the difference between the amount
34 the department is authorized to pay and the statewide average
35 of the actual and allowable rates in effect in May of the

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1 preceding fiscal year for reimbursement of juvenile shelter
2 care homes. In no case shall the home be reimbursed for more
3 than the home's actual and allowable costs. The unpaid costs
4 are payable pursuant to filing of verified claims against
5 the child's custodial parent's county of ~~legal settlement~~
6 residence. A detailed statement of the facts upon which a
7 claim is based shall accompany the claim. Any dispute between
8 counties arising from filings of claims pursuant to this
9 subsection shall be settled in the manner provided to determine
10 residency in section 331.394.

11 Sec. ____ Section 252.24, Code 2018, is amended to read as
12 follows:

13 **252.24 County of settlement residence liable — exception.**

14 1. The county ~~where the settlement is of residence, as~~
15 defined in section 331.394, shall be liable to the county
16 granting assistance for all reasonable charges and expenses
17 incurred in the assistance and care of a poor person.

18 2. When assistance is furnished by any governmental agency
19 of the county, township, or city, the assistance shall be
20 deemed to have been furnished by the county in which the
21 agency is located and the agency furnishing the assistance
22 shall certify the correctness of the costs of the assistance
23 to the board of supervisors of that county and that county

24 shall collect from the ~~county of the person's settlement county~~
 25 ~~of residence~~. The amounts collected by the county where the
 26 agency is located shall be paid to the agency furnishing the
 27 assistance. This statute applies to services and supplies
 28 furnished as provided in section 139A.18.

29 3. ~~Notwithstanding subsection 2, if This section shall~~
 30 ~~apply to~~ assistance or maintenance is provided by a county
 31 through the county's mental health and disability services
 32 system implemented under chapter 331, ~~liability for the~~
 33 ~~assistance and maintenance is the responsibility of the~~
 34 ~~person's county of residence~~.

35 Sec. ___. Section 331.502, subsection 14, Code 2018, is

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1 amended by striking the subsection.

2 Sec. ___. Section 331.653, subsection 25, Code 2018, is

3 amended by striking the subsection.

4 Sec. ___. Section 347.16, subsection 3, Code 2018, is

5 amended to read as follows:

6 3. Care and treatment may be furnished in a county public
 7 hospital to any sick or injured person who has ~~legal settlement~~
 8 ~~residence~~ outside the county which maintains the hospital,
 9 subject to such policies and rules as the board of hospital
 10 trustees may adopt. If care and treatment is provided under
 11 this subsection to a person who is indigent, the ~~county in~~
 12 ~~which that person has legal settlement~~ person's county of
 13 residence, as defined in section 331.394, shall pay to the
 14 board of hospital trustees the fair and reasonable cost of
 15 the care and treatment provided by the county public hospital
 16 unless the cost of the indigent person's care and treatment is
 17 otherwise provided for. If care and treatment is provided to
 18 an indigent person under this subsection, the county public
 19 hospital furnishing the care and treatment shall immediately
 20 notify, by regular mail, the auditor of the county of ~~legal~~
 21 ~~settlement~~ residence of the indigent person of the provision
 22 of care and treatment to the indigent person. ~~However, if the~~
 23 ~~including~~ care and treatment is provided by a county through
 24 the county's mental health and disability services system
 25 implemented under chapter 331, ~~liability for the assistance~~
 26 ~~and maintenance is the responsibility of the person's county~~
 27 ~~of residence~~.

28 Sec. ___. REPEAL. Sections 252.16, 252.17, 252.18, 252.22,
 29 and 252.23, Code 2018, are repealed.>

30 3. Title page, by striking line 3 and inserting <and the
 31 responsibility for other health-related services.>

32 4. By renumbering as necessary.

H-8354

- 1 Amend House File 2467, as amended, passed, and reprinted by
 2 the House, as follows:
- 3 1. Page 1, by striking lines 4 through 7 and inserting
 4 <payable to a school district for school meals and the school
 5 district has made reasonable efforts to collect the debt,
 6 setoff>
- 7 2. Page 1, by striking lines 25 through 27 and inserting:
 8 <3. If a student owes money for five or more meals, school
 9 personnel may contact the student's parent or guardian to>
- 10 3. Page 2, by striking lines 5 through 7.
- 11 4. By striking page 2, line 34, through page 3, line 3.
- 12 5. Page 3, after line 20 by inserting:
 13 <Sec. __.RETROACTIVE APPLICABILITY. The following
 14 applies retroactively to July 1, 2017, for a school district
 15 seeking to use setoff for school meal debt collection under
 16 section 8A.504, subsection 2, paragraph "I", as enacted by this
 17 Act:
 18 The section of this Act enacting section 8A.504, subsection
 19 2, paragraph "I".>
- 20 6. Title page, line 5, after <funds> by inserting <, and
 21 including retroactive applicability provisions>
- 22 7. By renumbering as necessary.

SENATE AMENDMENT

H-8355

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
- 3 1. Page 12, after line 18 by inserting:
 4 <Sec. __. Section 476.42, Code 2018, is amended by adding
 5 the following new subsections:
 6 NEW SUBSECTION. 1A. "Avoided cost" means the cost an
 7 electric utility would otherwise have incurred had the electric
 8 utility generated the electricity the utility purchased
 9 pursuant to a net metering agreement or purchased or obtained
 10 the electricity from another source.
 11 NEW SUBSECTION. 2A. "Net metering" means the
 12 interconnection of an alternate energy production facility
 13 or small hydro facility with an electric utility whereby
 14 electricity produced by the facility and consumed on site
 15 offsets electricity that would otherwise be purchased from
 16 the electric utility, and excess electricity produced by the
 17 facility is transferred to the utility's electrical grid.
 18 Sec. __. Section 476.43, subsection 2, Code 2018, is
 19 amended to read as follows:
 20 2. Upon application by the owner or operator of an alternate
 21 energy production facility or small hydro facility or any
 22 interested party, and subject to subsection 5A, the board shall
 23 establish for the affected public utility just and economically

24 reasonable rates for electricity purchased under subsection
 25 1, paragraph "a". The rates shall be established at levels
 26 sufficient to stimulate the development of alternate energy
 27 production and small hydro facilities in Iowa and to encourage
 28 the continuation of existing capacity from those facilities.
 29 Sec. ___. Section 476.43, Code 2018, is amended by adding
 30 the following new subsection:
 31 NEW SUBSECTION. 5A. A rate-regulated electric utility
 32 that purchases electricity from an alternate energy production
 33 facility or small hydro facility pursuant to a net metering
 34 agreement entered into on or after July 1, 2018, shall do so in
 35 accordance with the following conditions:

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1 a. Net metering shall be available to any alternate energy
 2 production facility or small hydro facility with up to one
 3 megawatt of nameplate generating capacity, to offset up to one
 4 hundred percent of a net-metered customer's load.
 5 b. Net metering shall be available to all customer classes,
 6 provided, however, that each customer's generation shall only
 7 offset energy charges, and shall not offset customer charges
 8 or demand charges.
 9 c. The utility shall provide for an annual cash-out of net
 10 excess generation, or excess credits, at a rate that is based
 11 upon, and does not exceed, the utility's avoided cost. The
 12 annual cash-out shall take place during the first billing cycle
 13 of the calendar year. The funds from the cash-out shall be
 14 divided equally between the customer and the utility to provide
 15 assistance to customers in need, or the customer may elect to
 16 allow up to all of the excess credits to be distributed to
 17 provide assistance to customers in need.>
 18 2. By renumbering as necessary.

WATTS of Dallas

H-8356

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 4 by inserting:
 4 <Sec. ___. Section 8A.412, subsection 11, Code 2018, is
 5 amended to read as follows:
 6 11. Professional employees under the supervision of the
 7 attorney general, the state public defender, the secretary
 8 of state, the auditor of state, the treasurer of state, and
 9 the public employment relations board. However, employees of
 10 ~~the consumer advocate division of the department of justice,~~
 11 ~~other than the consumer advocate, and administrative law judges~~
 12 appointed or employed by the public employment relations board
 13 are subject to the merit system.
 14 Sec. ___. Section 12.91, subsection 1, paragraph b, Code

15 2018, is amended to read as follows:

16 *b. "Chargeable expenses"* means expenses charged by the
 17 utilities board ~~and the consumer advocate division of the~~
 18 ~~department of justice~~ under section 476.10.

19 Sec. ____ Section 15.120, subsection 2, paragraph a,
 20 subparagraph (8), Code 2018, is amended by striking the
 21 subparagraph.

22 Sec. ____ Section 17A.2, subsection 1, Code 2018, is amended
 23 to read as follows:

24 1. "*Agency*" means each board, commission, department,
 25 officer or other administrative office or unit of the state.
 26 "*Agency*" does not mean the general assembly, the judicial branch
 27 or any of its components, ~~the office of consumer advocate,~~
 28 the governor, or a political subdivision of the state or its
 29 offices and units. Unless provided otherwise by statute, no
 30 less than two-thirds of the members eligible to vote of a
 31 multimember agency constitute a quorum authorized to act in the
 32 name of the agency.

33 Sec. ____ Section 20.4, subsection 9, Code 2018, is amended
 34 to read as follows:

35 9. Persons employed by the state department of justice,

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1 ~~except nonsupervisory employees of the consumer advocate~~
 2 ~~division who are employed primarily for the purpose of~~
 3 ~~performing technical analysis of nonlegal issues.>~~

4 2. Page 2, after line 21 by inserting:

5 <Sec. ____ Section 68B.35, subsection 2, paragraph e, Code
 6 2018, is amended to read as follows:

7 *e.* Members of the state banking council, the Iowa ethics
 8 and campaign disclosure board, the credit union review board,
 9 the economic development authority, the employment appeal
 10 board, the environmental protection commission, the health
 11 facilities council, the Iowa finance authority, the Iowa public
 12 employees' retirement system investment board, the board of
 13 the Iowa lottery authority, the natural resource commission,
 14 the board of parole, the petroleum underground storage tank
 15 fund board, the public employment relations board, the state
 16 racing and gaming commission, the state board of regents, the
 17 transportation commission, ~~the office of consumer advocate,~~ the
 18 utilities board, the Iowa telecommunications and technology
 19 commission, and any full-time members of other boards and
 20 commissions as defined under section 7E.4 who receive an annual
 21 salary for their service on the board or commission. The Iowa
 22 ethics and campaign disclosure board shall conduct an annual
 23 review to determine if members of any other board, commission,
 24 or authority should file a statement and shall require the
 25 filing of a statement pursuant to rules adopted pursuant to
 26 chapter 17A.

27 Sec. ____ Section 422.7, subsection 2, paragraph d, Code
 28 2018, is amended to read as follows:

29 *d.* Iowa utility board ~~and Iowa consumer advocate~~ building
 30 project bonds pursuant to section 12.91, subsection 9.
 31 Sec. ____ Section 474.1, subsection 3, Code 2018, is amended
 32 to read as follows:
 33 3. As used in this chapter and chapters ~~475A, 476, 476A,~~
 34 478, 479, 479A, and 479B, “*division*” and “*utilities division*”
 35 mean the utilities division of the department of commerce.>

PAGE 3

1 3. Page 3, lines 2 and 3, by striking <~~and the office of~~
 2 consumer advocate,>
 3 4. Page 4, after line 9 by inserting:
 4 <Sec. ____ Section 476.1B, subsection 1, paragraphs a and l,
 5 Code 2018, are amended to read as follows:
 6 *a.* Assessment of fees for the support of the division
 7 ~~and the office of consumer advocate,~~ as set forth in section
 8 476.10.
 9 *l.* Filing energy efficiency plans and energy efficiency
 10 results with the board. The energy efficiency plans as a whole
 11 shall be cost-effective. The board may permit these utilities
 12 to file joint plans. ~~The board shall periodically report the~~
 13 ~~energy efficiency results including energy savings of each of~~
 14 ~~these utilities to the general assembly.>~~
 15 5. Page 4, after line 11 by inserting:
 16 <Sec. ____ Section 476.1C, subsection 2, Code 2018, is
 17 amended to read as follows:
 18 2. If, as a result of a review of a proposed new or changed
 19 rate, charge, schedule, or regulation of a gas public utility
 20 having fewer than two thousand customers, the ~~consumer advocate~~
 21 ~~alleges in a filing with the board~~ has reason to believe that
 22 the utility rates are excessive, the disputed amounts shall be
 23 ~~specified by the consumer advocate in the filing in a filing~~
 24 by the board. The gas public utility shall, within the time
 25 prescribed by the board, file a bond or undertaking approved by
 26 the board conditioned upon the refund in a manner prescribed
 27 by the board of amounts collected after the date of the filing
 28 which are in excess of rates or charges finally determined by
 29 the board to be lawful. If after formal proceeding and hearing
 30 pursuant to section 476.6 the board finds that the utility
 31 rates are unlawful, the board shall order a refund, with
 32 interest, of amounts collected after the date of the filing
 33 ~~of the petition~~ that are determined to be in excess of the
 34 amounts which would have been collected under the rates finally
 35 approved. However, the board shall not order a refund that is

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1 greater than the amount specified in the ~~petition filing,~~ plus
 2 interest. If the board fails to render a decision within ten
 3 months following the date of the filing of the petition, the
 4 board shall not order a refund of any excess amounts that are

5 collected after the expiration of that ten-month period and
6 prior to the date the decision is rendered.>

7 6. Page 4, after line 13 by inserting:

8 <Sec. ___. Section 476.3, subsections 1 and 2, Code 2018,
9 are amended to read as follows:

10 1. A public utility shall furnish reasonably adequate
11 service at rates and charges in accordance with tariffs filed
12 with the board. When there is filed with the board by any
13 person or body politic, or filed by the board upon its own
14 motion, a written complaint requesting the board to determine
15 the reasonableness of the rates, charges, schedules, service,
16 regulations, or anything done or omitted to be done by a
17 public utility subject to this chapter in contravention of
18 this chapter, the written complaint shall be forwarded by
19 the board to the public utility, which shall be called upon
20 to satisfy the complaint or to answer it in writing within a
21 reasonable time to be specified by the board. ~~Copies of the~~
22 ~~written complaint forwarded by the board to the public utility~~
23 ~~and copies of all correspondence from the public utility in~~
24 ~~response to the complaint shall be provided by the board in~~
25 ~~an expeditious manner to the consumer advocate.~~ If the board
26 determines the public utility's response is inadequate and
27 there appears to be any reasonable ground for investigating
28 the complaint, the board shall promptly initiate a formal
29 proceeding. ~~If the consumer advocate determines the public~~
30 ~~utility's response to the complaint is inadequate, the consumer~~
31 ~~advocate may file a petition with the board which shall~~
32 ~~promptly initiate a formal proceeding if the board determines~~
33 ~~that there is any reasonable ground for investigating the~~
34 ~~complaint.~~ The complainant or the public utility also may
35 petition the board to initiate a formal proceeding which

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1 petition shall be granted if the board determines that there
2 is any reasonable ground for investigating the complaint. The
3 formal proceeding may be initiated at any time by the board on
4 its own motion. If a proceeding is initiated upon petition
5 filed by the ~~consumer advocate~~, complainant, or the public
6 utility, or upon the board's own motion, the board shall set
7 the case for hearing and give notice as it deems appropriate.
8 When the board, after a hearing held after reasonable notice,
9 finds a public utility's rates, charges, schedules, service,
10 or regulations are unjust, unreasonable, discriminatory, or
11 otherwise in violation of any provision of law, the board
12 shall determine just, reasonable, and nondiscriminatory rates,
13 charges, schedules, service, or regulations to be observed and
14 enforced.

15 2. If, as a result of a review procedure conducted under
16 section 476.31, a review conducted under section 476.32, a
17 special audit, or an investigation by division staff, ~~or an~~
18 ~~investigation by the consumer advocate~~, a petition is filed

19 ~~with the board by the consumer advocate, alleging the board~~
 20 ~~has reason to believe~~ that a utility's rates are excessive,
 21 the disputed amount shall be specified ~~in the petition in a~~
 22 filing by the board. The public utility shall, within the time
 23 prescribed by the board, file a bond or undertaking approved by
 24 the board conditioned upon the refund in a manner prescribed by
 25 the board of amounts collected after the date of ~~the filing of~~
 26 ~~the petition~~ in excess of rates or charges finally determined
 27 by the board to be lawful. If upon hearing the board finds
 28 that the utility's rates are unlawful, the board shall order
 29 a refund, with interest, of amounts collected after the date
 30 of ~~the filing of the petition~~ that are determined to be in
 31 excess of the amounts which would have been collected under
 32 the rates finally approved. However, the board shall not
 33 order a refund that is greater than the amount specified in
 34 the ~~petition~~ filing, plus interest, and if the board fails
 35 to render a decision within ten months following the date of

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1 ~~filing of the petition~~, the board shall not order a refund of
 2 any excess amounts that are collected after the expiration of
 3 that ten-month period and prior to the date the decision is
 4 rendered.>
 5 7. Page 9, lines 1 and 2, by striking <or the office of the
 6 consumer advocate> and inserting <~~or the office of the consumer~~
 7 ~~advocate~~>
 8 8. Page 10, after line 7 by inserting:
 9 <Sec. ___. Section 476.10, subsections 1, 3, and 4, Code
 10 2018, are amended to read as follows:
 11 1.a. In order to carry out the duties imposed upon
 12 it by law, the board may, at its discretion, allocate and
 13 charge directly the expenses attributable to its duties
 14 to the person bringing a proceeding before the board or to
 15 persons participating in matters before the board. The board
 16 shall ascertain the certified expenses incurred and directly
 17 chargeable ~~by the consumer advocate division of the department~~
 18 ~~of justice~~ in the performance of its duties. The board ~~and the~~
 19 ~~consumer advocate separately~~ may decide not to charge expenses
 20 to persons who, without expanding the scope of the proceeding
 21 or matter, intervene in good faith in a board proceeding
 22 initiated by a person subject to the board's jurisdiction;
 23 ~~the consumer advocate~~, or the board on its own motion. For
 24 assessments in any proceedings or matters before the board, the
 25 board ~~and the consumer advocate separately~~ may consider the
 26 financial resources of the person, the impact of assessment on
 27 participation by intervenors, the nature of the proceeding or
 28 matter, and the contribution of a person's participation to the
 29 public interest. The board may present a bill for expenses
 30 under this subsection to the person, either at the conclusion
 31 of a proceeding or matter, or from time to time during its
 32 progress. Presentation of a bill for expenses under this

33 subsection constitutes notice of direct assessment and request
 34 for payment in accordance with this section.
 35 *b.* The board shall ascertain the total of the division's

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1 expenses incurred during each fiscal year in the performance
 2 of its duties under law. ~~The board shall add to the total of~~
 3 ~~the division's expenses the certified expenses of the consumer~~
 4 ~~advocate as provided under section 475A.6.~~ The board shall
 5 deduct all amounts charged directly to any person from the
 6 total expenses of the board ~~and the consumer advocate.~~ The
 7 board may assess the amount remaining after the deduction
 8 to all persons providing service over which the board has
 9 jurisdiction in proportion to the respective gross operating
 10 revenues of such persons from intrastate operations during the
 11 last calendar year over which the board has jurisdiction. For
 12 purposes of determining gross operating revenues under this
 13 section, the board shall not include gross receipts received
 14 by a cooperative corporation or association for wholesale
 15 transactions with members of the cooperative corporation
 16 or association, provided that the members are subject to
 17 assessment by the board based upon the members' gross operating
 18 revenues, or provided that such a member is an association
 19 whose members are subject to assessment by the board based upon
 20 the members' gross operating revenues. If any portion of the
 21 remainder can be identified with a specific type of utility
 22 service, the board shall assess those expenses only to the
 23 entities providing that type of service over which the board
 24 has jurisdiction. The board may make the remainder assessments
 25 under this paragraph on a quarterly basis, based upon estimates
 26 of the expenditures for the fiscal year for the utilities
 27 division ~~and the consumer advocate.~~ Not more than ninety days
 28 following the close of the fiscal year, the utilities division
 29 shall conform the amount of the prior fiscal year's assessments
 30 to the requirements of this paragraph. For gas and electric
 31 public utilities exempted from rate regulation pursuant to
 32 this chapter, the remainder assessments under this paragraph
 33 shall be computed at one-half the rate used in computing the
 34 assessment for other persons.
 35 3. Whenever the board shall deem it necessary in order

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1 to carry out the duties imposed upon it in connection with
 2 rate regulation under section 476.6, investigations under
 3 section 476.3, or review proceedings under section 476.31,
 4 the board may employ additional temporary or permanent staff,
 5 or may contract with persons who are not state employees for
 6 engineering, accounting, or other professional services, or
 7 both. The costs of these additional employees and contract
 8 services shall be paid by the public utility whose rates

9 are being reviewed in the same manner as other expenses are
10 paid under this section. Beginning on July 1, 1991, there
11 is appropriated out of any funds in the state treasury not
12 otherwise appropriated, such sums as may be necessary to enable
13 the board to hire additional staff and contract for services
14 under this section. The board shall increase quarterly
15 assessments specified in subsection 1, paragraph "b", by
16 amounts necessary to enable the board to hire additional staff
17 and contract for services under this section. The authority to
18 hire additional temporary or permanent staff that is granted to
19 the board by this section shall not be subject to limitation
20 by any administrative or executive order or decision that
21 restricts the number of state employees or the filling of
22 employee vacancies, and shall not be subject to limitation
23 by any law of this state that restricts the number of state
24 employees or the filling of employee vacancies unless that
25 law is made applicable to this section by express reference
26 to this section. Before the board expends or encumbers an
27 amount in excess of the funds budgeted for rate regulation and
28 before the board increases quarterly assessments pursuant to
29 this subsection, the director of the department of management
30 shall approve the expenditure or encumbrance. Before approval
31 is given, the director of the department of management shall
32 determine that the expenses exceed the funds budgeted by the
33 general assembly to the board for rate regulation and that
34 the board does not have other funds from which the expenses
35 can be paid. Upon approval of the director of the department

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1 of management the board may expend and encumber funds for
2 the excess expenses, and increase quarterly assessments to
3 raise the additional funds. The board ~~and the office of~~
4 ~~consumer advocate~~ may add additional personnel or contract
5 for additional assistance to review and evaluate energy
6 efficiency plans and the implementation of energy efficiency
7 programs including, but not limited to, professionally trained
8 engineers, accountants, attorneys, skilled examiners and
9 inspectors, and secretaries and clerks. The board ~~and the~~
10 ~~office of consumer advocate~~ may also contract for additional
11 assistance in the evaluation and implementation of issues
12 relating to telecommunication competition. The board ~~and the~~
13 ~~office of the consumer advocate~~ may expend additional sums
14 beyond those sums appropriated. However, the authority to add
15 additional personnel or contract for additional assistance
16 must first be approved by the department of management. The
17 additional sums for energy efficiency shall be provided to the
18 board ~~and the office of the consumer advocate~~ by the utilities
19 subject to the energy efficiency requirements in this chapter.
20 Telephone companies shall pay any additional sums needed for
21 assistance with telecommunication competition issues. The
22 assessments shall be in addition to and separate from the

23 quarterly assessment.

24 4.a. Fees paid to the utilities division shall be
 25 deposited in the department of commerce revolving fund created
 26 in section 546.12. These funds shall be used for the payment,
 27 upon appropriation by the general assembly, of the expenses of
 28 the utilities division ~~and the consumer advocate division of~~
 29 ~~the department of justice.~~

30 b. The administrator ~~and consumer advocate~~ shall account
 31 for receipts and disbursements according to the separate duties
 32 imposed upon the utilities ~~and consumer advocate divisions~~
 33 division by the laws of this state and each separate duty shall
 34 be fiscally self-sustaining.

35 c. All fees and other moneys collected under this section

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1 and sections 478.4, 479.16, and 479A.9 shall be deposited into
 2 the department of commerce revolving fund created in section
 3 546.12 and expenses required to be paid under this section
 4 shall be paid from funds appropriated for those purposes.

5 Sec. ____ Section 476.10B, subsections 1 and 2, Code 2018,
 6 are amended to read as follows:

7 1. For the purposes of this section, "*building project*
 8 *expenses*" means expenses that have been approved by the
 9 utilities board for the building and related improvements
 10 and furnishings developed under this section and that are
 11 considered part of the regulatory expenses charged by the
 12 utilities board ~~and the consumer advocate division of the~~
 13 ~~department of justice~~ for carrying out duties under section
 14 476.10.

15 2. The department of administrative services, in
 16 consultation with the board ~~and the consumer advocate~~
 17 ~~division of the department of justice~~, shall provide for the
 18 construction of a building to house the board ~~and the division~~.
 19 A building developed under this subsection shall be a model
 20 energy-efficient building that may be used as a public example
 21 for similar efforts. The building shall comply with the life
 22 cycle cost provisions developed pursuant to section 72.5. The
 23 building shall be located on the capitol complex grounds or
 24 at another convenient location in the vicinity of the capitol
 25 complex grounds.>

26 9. Page 12, after line 30 by inserting:
 27 <Sec. ____ Section 476.53, subsection 4, Code 2018, is
 28 amended to read as follows:

29 4. The utilities board ~~and the consumer advocate~~ may employ
 30 additional temporary staff, or may contract for professional
 31 services with persons who are not state employees, as the board
 32 ~~and the consumer advocate deem~~ deems necessary to perform
 33 required functions as provided in this section, including but
 34 not limited to review of power purchase contracts, review of
 35 emission plans and budgets, and review of ratemaking principles

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1 proposed for construction or lease of a new generating
2 facility. Beginning July 1, 2002, there is appropriated out
3 of any funds in the state treasury not otherwise appropriated,
4 such sums as may be necessary to enable the board ~~and the~~
5 ~~consumer advocate~~ to hire additional staff and contract for
6 services under this section. The costs of the additional staff
7 and services shall be assessed to the utilities pursuant to the
8 procedure in section 476.10 ~~and section 475A.6.~~

9 Sec. ____ Section 476.103, subsection 3, paragraph g, Code
10 2018, is amended to read as follows:

11 g. Procedures for a customer; or service provider; ~~or~~
12 ~~the consumer advocate~~ to submit to the board complaints of
13 unauthorized changes in service.

14 Sec. ____ Section 477C.5, subsection 2, Code 2018, is
15 amended to read as follows:

16 2. The council shall consist of:

17 a. ~~Six~~ Seven consumers who have communication impairments.

18 b. Two representatives from telephone companies.

19 c. One representative from the office of deaf services of
20 the department of human rights.

21 ~~d. One representative from the office of the consumer~~
22 ~~advocate of the department of justice.~~

23 e. d. One member of the board or a designee of the board.

24 Sec. ____ Section 546.12, subsections 1 and 2, Code 2018,
25 are amended to read as follows:

26 1. A department of commerce revolving fund is created in
27 the state treasury. The fund shall consist of moneys collected
28 by the banking division; credit union division; utilities
29 division; ~~including moneys collected on behalf of the office~~
30 ~~of consumer advocate established in section 475A.3;~~ and the
31 insurance division of the department; and deposited into an
32 account for that division ~~or office~~ within the fund on a
33 monthly basis. Except as otherwise provided by statute, all
34 costs for operating ~~the office of consumer advocate and the~~
35 banking division, the credit union division, the utilities

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1 division, and the insurance division of the department shall be
2 paid from the division's accounts within the fund, subject to
3 appropriation by the general assembly. The insurance division
4 shall administer the fund and all other divisions shall work
5 with the insurance division to make sure the fund is properly
6 accounted and reported to the department of management and the
7 department of administrative services. The divisions shall
8 provide quarterly reports to the department of management
9 and the legislative services agency on revenues billed and
10 collected and expenditures from the fund in a format as
11 determined by the department of management in consultation with
12 the legislative services agency.

13 2. To meet cash flow needs for the ~~office of consumer~~
 14 ~~advocate and the banking division, credit union division,~~
 15 ~~utilities division, or the insurance division of the~~
 16 ~~department, the administrative head of that division or~~
 17 ~~office may temporarily use funds from the general fund of the~~
 18 ~~state to pay expenses in excess of moneys available in the~~
 19 ~~revolving fund for that division or office if those additional~~
 20 ~~expenditures are fully reimbursable and the division or office~~
 21 ~~reimburses the general fund of the state and ensures all~~
 22 ~~moneys are repaid in full by the close of the fiscal year.~~
 23 Notwithstanding any provision to the contrary, the divisions
 24 shall, to the fullest extent possible, make an estimate
 25 of billings and make such billings as early as possible in
 26 each fiscal year, so that the need for the use of general
 27 fund moneys is minimized to the lowest extent possible.
 28 Periodic billings shall be deemed sufficient to satisfy this
 29 requirement. Because any general fund moneys used shall be
 30 fully reimbursed, such temporary use of funds from the general
 31 fund of the state shall not constitute an appropriation for
 32 purposes of calculating the state general fund expenditure
 33 limitation pursuant to section 8.54.
 34 Sec. __.REPEAL. Chapter 475A, Code 2018, is repealed.>
 35 10. Page 13, line 13, after <<utilities,> by inserting <

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1 repealing provisions establishing the office of consumer
 2 advocate,>
 3 11. By renumbering as necessary.

WATTS of Dallas

H-8357

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 11, after line 4 by inserting:
 4 <Sec. __.NEW SECTION. 476.26A **Right to construct, own,**
 5 **and maintain electric transmission lines.**
 6 1. As used in this section, unless the context otherwise
 7 requires:
 8 a. "Electric transmission line" means a high-voltage
 9 electric transmission line with a capacity of one hundred
 10 kilovolts or more and any associated electric transmission
 11 facilities.
 12 b. "Electric transmission owner" means an individual or
 13 entity who, as of the effective date of this Act, owns and
 14 maintains an electric transmission facility including electric
 15 transmission lines, wires, or cables that are capable of
 16 operating at an electric voltage of one hundred kilovolts or
 17 more that are required for rate-regulated electric utilities,
 18 municipal electric utilities, and rural electric cooperatives

19 in this state to provide electric service to the public for
20 compensation.

21 c. *“Incumbent electric transmission owner”* means any of the
22 following:

23 (1) A public utility or a municipally owned utility that
24 owns, operates, and maintains an electric transmission line in
25 this state.

26 (2) An electric cooperative corporation or association or
27 municipally owned utility that owns an electric transmission
28 facility in this state and has turned over the functional
29 control of such facility to a federally approved authority.

30 (3) An *“electric transmission owner”* as defined in paragraph
31 *“b”*.

32 d. *“Municipally owned utility”* means a *“city utility”* as
33 defined in section 362.2, or an *“electric power agency”* as
34 defined in section 390.9 which is comprised solely of cities or
35 solely of cities and other political subdivisions.

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1 2. An incumbent electric transmission owner may construct,
2 own, and maintain an electric transmission line that has
3 been approved for construction in a federally registered
4 planning authority transmission plan and which connects to an
5 electric transmission facility owned by the incumbent electric
6 transmission owner. Where an electric transmission line
7 connects to electric transmission facilities owned by two or
8 more incumbent electric transmission owners, each incumbent
9 electric transmission owner whose facilities connect to the
10 electric transmission line may construct, own, and maintain the
11 electric transmission line individually and equally. If an
12 incumbent electric transmission owner declines to construct,
13 own, and maintain its portion of an electric transmission line
14 that connects to electric transmission facilities owned by
15 two or more incumbent electric transmission owners, then the
16 other incumbent electric transmission owner or owners that own
17 the electric transmission facilities to which the electric
18 transmission line connects may construct, own, and maintain the
19 electric transmission line individually and equally.

20 3. This section shall not modify the authority of the board
21 under chapter 478 or the requirements, rights, and obligations
22 relating to the construction, maintenance, and operation of
23 electric transmission lines pursuant to chapter 478.>

24 2. By renumbering as necessary.

WATTS of Dallas

H-8358

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 9 through 11 and inserting

4 <center created in section 15.120 and the center for global and
5 regional environmental research established by the state board
6 of regents. This paragraph "e" is repealed July 1, 2022.>

WATTS of Dallas

H-8359

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 15 through 24 and inserting:
4 <g. Filing energy efficiency plans and energy efficiency
5 results with the board. The energy efficiency plans as a
6 whole shall be cost effective. The board may permit these
7 utilities to file joint plans. The board shall periodically
8 report the energy efficiency results including energy savings
9 of each of these utilities to the general assembly. The board
10 may waive all or part of the energy efficiency filing and
11 review requirements for electric cooperative corporations and
12 associations and electric public utilities which demonstrate
13 superior results with existing energy efficiency efforts.>
14 2. Page 4, lines 10 and 11, by striking <paragraph f, Code
15 2018, is amended by striking the paragraph> and inserting
16 <paragraphs f and l, Code 2018, are amended by striking the
17 paragraphs>
18 3. Page 6, line 3, after <file> by inserting <five-year>
19 4. Page 6, lines 13 and 14, by striking <or demand response>
20 5. Page 9, line 16, after <476.42> by inserting <that are
21 installed on or after January 1, 2019>
22 6. Page 12, by striking lines 4 through 6 and inserting <the
23 actual costs and revenues are reasonably consistent with those
24 approved by the board. If the actual costs and revenues are
25 not reasonably consistent with those approved by the board, the
26 board shall>
27 7. Page 12, line 15, by striking <paragraph> and inserting
28 <subsection>

CARLSON of Muscatine

H-8360

1 Amend Senate File 2230, as passed by the Senate, as follows:
2 1. Page 1, by striking lines 4 through 10 and inserting:
3 <1.a. Kidnapping where A person commits kidnapping in the
4 second degree under any of the following circumstances:
5 (1) Where the purpose is to hold the victim for ransom or
6 where,
7 (2) Where the kidnapper is armed with a dangerous weapon is
8 kidnapping in the second degree.
9 (3) Where the victim is a child under sixteen years of age
10 other than a kidnapping of such a child by a person whose sole
11 purpose of the kidnapping is to assume custody of the person's

- 12 child, grandchild, great-grandchild, sibling, or ward.
13 b. Kidnapping in the second degree is a class “B” felony.>
14 2. By renumbering as necessary.

OLSON of Polk

H-8361

- 1 Amend Senate File 2230, as passed by the Senate, as follows:
2 1. Page 1, after line 14 by inserting:
3 <Sec. ___. Section 717B.1, Code 2018, is amended by adding
4 the following new subsection:
5 NEW SUBSECTION. 6A. “Magistrate” means the same as defined
6 in section 801.4.
7 Sec. ___.NEW SECTION. 717B.5A Initial appearance —
8 pretrial release.
9 1. At the time of a defendant’s initial appearance for a
10 charge involving a violation of this chapter, a magistrate’s
11 order for the defendant’s pretrial release from custody may
12 impose a condition that prohibits or restricts the defendant
13 from doing any of the following:
14 a. Acquiring an ownership interest in a dog or cat.
15 b. Acquiring or retaining custody of a dog or cat.
16 c. Residing in a dwelling located on the same premises where
17 a dog or cat is kept.
18 2. The condition imposed pursuant to this section shall be
19 in addition to any other provision allowed or required to be
20 part of the magistrate’s order for the defendant’s pretrial
21 release under chapter 811.
22 Sec. ___.NEW SECTION. 717B.5B Sentencing order —
23 prohibition.
24 1. At the time of a person’s sentencing for an offense
25 involving a violation of this chapter, the court’s order may
26 prohibit or restrict the defendant from doing any of the
27 following:
28 a. Acquiring an ownership interest in a dog or cat.
29 b. Acquiring or retaining custody of a dog or cat.
30 c. Residing in a dwelling located on the same premises where
31 a dog or cat is kept.
32 2. The prohibition or restriction imposed pursuant to this
33 section shall be for not less than one year commencing on the
34 date that the convicted person is placed on probation, released
35 on parole or work release, or released from incarceration or

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- 1 from placement in a juvenile facility.
2 3. The prohibition or restriction imposed pursuant to this
3 section shall be in addition to any other provision allowed
4 or required to be part of a sentencing order, including those
5 conditions imposed pursuant to section 717B.3A for animal
6 torture.

- 7 4. A person who violates the prohibition or restriction
 8 imposed pursuant to this section commits a simple misdemeanor.>
 9 2. Title page, line 1, by striking <kidnapping in the second
 10 degree> and inserting <criminal offenses involving kidnapping
 11 or injury to animals>
 12 3. By renumbering as necessary.

WOLFE of Clinton

H-8362

- 1 Amend the amendment, H-8313, to Senate File 359, as passed by
 2 the Senate, as follows:
 3 1. By striking page 1, line 1, through page 8, line 3, and
 4 inserting:
 5 <Amend Senate File 359, as passed by the Senate, as follows:
 6 1. By striking everything after the enacting clause and
 7 inserting:
 8 <Section 1.NEW SECTION. **146C.1 Legislative findings and**
 9 **intent.**
 10 1. The general assembly finds all of the following:
 11 a. Abortion carries significant physical and psychological
 12 risks to the pregnant woman, and these physical and
 13 psychological risks increase exponentially with the
 14 postfertilization age of the unborn child.
 15 b. As the second trimester of a pregnancy progresses, in the
 16 vast majority of uncomplicated pregnancies, the health risks to
 17 the pregnant woman of undergoing an abortion are greater than
 18 the risks of carrying a pregnancy to term.
 19 c. Medical complications from dilation and evacuation
 20 abortions include but are not limited to pelvic infection;
 21 incomplete abortions and retained tissue; blood clots; heavy
 22 bleeding or hemorrhage; laceration, tear, or other injury to
 23 the cervix; puncture, laceration, tear, or other injury to the
 24 uterus; injury to the bowel or bladder; depression; anxiety;
 25 substance abuse; and other emotional or psychological problems.
 26 Further, in abortions performed in the second trimester, there
 27 is a higher risk of requiring a hysterectomy, other reparative
 28 surgery, or blood transfusion.
 29 d. The state of Iowa has legitimate interests from the
 30 outset of pregnancy in protecting the health of women, as the
 31 medical, emotional, and psychological consequences of abortion
 32 are serious and can be lasting.
 33 2. Based upon the findings specified in subsection 1, it is
 34 the intent of the general assembly through application of this
 35 chapter to restrict the practice of nontherapeutic or elective

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- 1 abortion to the period prior to the unborn child achieving the
 2 postfertilization age of fifteen weeks.
 3 Sec. 2.NEW SECTION. **146C.2 Definitions.**

- 4 As used in this chapter, unless the context otherwise
5 requires:
- 6 1. "*Abortion*" means the termination of a human pregnancy
7 with the intent other than to produce a live birth or to remove
8 a dead fetus.
- 9 2. "*Attempt to perform an abortion*" means an act, or
10 an omission of a statutorily required act, that, under the
11 circumstances as the actor believes them to be, constitutes a
12 substantial step in a course of conduct planned to culminate in
13 the performing of an abortion.
- 14 3. "*Department*" means the department of public health.
- 15 4. "*Fertilization*" means the fusion of a human spermatozoon
16 with a human ovum.
- 17 5. "*Major bodily function*" includes but is not limited
18 to functions of the immune system, normal cell growth, and
19 digestive, bowel, bladder, neurological, brain, respiratory,
20 circulatory, endocrine, and reproductive functions.
- 21 6. "*Medical emergency*" means a situation in which an
22 abortion is performed to preserve the life of the pregnant
23 woman whose life is endangered by a physical disorder, physical
24 illness, or physical injury, including a life-endangering
25 physical condition caused by or arising from the pregnancy, or
26 when continuation of the pregnancy will create a serious risk
27 of substantial and irreversible impairment of a major bodily
28 function of the pregnant woman.
- 29 7. "*Medical facility*" means any public or private hospital,
30 clinic, center, medical school, medical training institution,
31 health care facility, physician's office, infirmary,
32 dispensary, ambulatory surgical center, or other institution or
33 location where medical care is provided to any person.
- 34 8. "*Perform*", "*performed*", or "*performing*", relative to an
35 abortion, means the use of any means, including medical or

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- 1 surgical, to terminate the pregnancy of a woman known to be
2 pregnant with the intent other than to produce a live birth or
3 to remove a dead fetus.
- 4 9. "*Physician*" means a person licensed under chapter 148.
- 5 10. "*Postfertilization age*" means the age of the unborn
6 child as calculated from fertilization.
- 7 11. "*Probable postfertilization age*" means what, in
8 reasonable medical judgment, will with reasonable probability
9 be the postfertilization age of the unborn child at the time
10 the abortion is to be performed.
- 11 12. "*Reasonable medical judgment*" means a medical judgment
12 made by a reasonably prudent physician who is knowledgeable
13 about the case and the treatment possibilities with respect to
14 the medical conditions involved.
- 15 13. "*Severe fetal abnormality*" means a life-threatening
16 physical condition that, in the physician's reasonable medical
17 judgment, regardless of the provision of life-saving medical

18 treatment, is incompatible with life outside the womb.

19 14. "*Unborn child*" means an individual organism of the
20 species homo sapiens from fertilization to live birth.

21 Sec. 3. **NEW SECTION. 146C.3 Determination of**
22 **postfertilization age — certain abortions prohibited —**
23 **exceptions — reporting requirements — penalties.**

24 1. Except in the case of a medical emergency or a
25 severe fetal abnormality, in addition to compliance with
26 the prerequisites of chapter 146A, an abortion shall not be
27 performed or be attempted to be performed unless the physician
28 performing the abortion has first made a determination of the
29 probable postfertilization age of the unborn child or relied
30 upon such a determination made by another physician. In making
31 such a determination, a physician shall make such inquiries
32 of the pregnant woman and perform or cause to be performed
33 such medical examinations and tests the physician considers
34 necessary in making a reasonable medical judgment to accurately
35 determine the postfertilization age of the unborn child.

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1 2.a. A physician shall not perform or attempt to perform
2 an abortion upon a pregnant woman when it has been determined,
3 by the physician performing the abortion or by another
4 physician upon whose determination that physician relies, that
5 the probable postfertilization age of the unborn child is
6 fifteen or more weeks unless, in the physician's reasonable
7 medical judgment, any of the following applies:

8 (1) The pregnant woman has a condition which the physician
9 deems a medical emergency.

10 (2) The abortion is necessary to preserve the life of an
11 unborn child.

12 (3) The unborn child is afflicted with a severe fetal
13 abnormality.

14 b. If an abortion is performed under this subsection, the
15 physician shall terminate the pregnancy in the manner which,
16 in the physician's reasonable medical judgment, provides the
17 best opportunity for an unborn child to survive, unless, in the
18 physician's reasonable medical judgment, termination of the
19 pregnancy in that manner would pose a greater risk than any
20 other available method of the death of the pregnant woman or
21 of the substantial and irreversible physical impairment of a
22 major bodily function. A greater risk shall not be deemed to
23 exist if it is based on a claim or diagnosis that the pregnant
24 woman will engage in conduct which would result in the pregnant
25 woman's death or in substantial and irreversible physical
26 impairment of a major bodily function.

27 3. A physician who performs or attempts to perform an
28 abortion shall report to the department, on a schedule and in
29 accordance with forms and rules adopted by the department, all
30 of the following:

31 a. If a determination of probable postfertilization age of

32 the unborn child was made, the probable postfertilization age
33 determined and the method and basis of the determination.
34 *b.* If a determination of probable postfertilization age of
35 the unborn child was not made, the basis of the determination

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1 that a medical emergency existed or that the unborn child was
2 afflicted with a severe fetal abnormality.
3 *c.* If the probable postfertilization age of the unborn
4 child was determined to be fifteen or more weeks, the basis
5 of the determination of a medical emergency, the basis of the
6 determination that the unborn child was afflicted with a severe
7 fetal abnormality, or the basis of the determination that the
8 abortion was necessary to preserve the life of an unborn child.
9 *d.* The method used for the abortion and, in the case of
10 an abortion performed when the probable postfertilization age
11 was determined to be fifteen or more weeks, whether the method
12 of abortion used was one that, in the physician's reasonable
13 medical judgment, provided the best opportunity for an unborn
14 child to survive or, if such a method was not used, the basis
15 of the determination that termination of the pregnancy in
16 that manner would pose a greater risk than would any other
17 available method of the death of the pregnant woman or of the
18 substantial and irreversible physical impairment of a major
19 bodily function.
20 *4.a.* By April 1, annually, the department shall issue a
21 public report providing statistics for the previous calendar
22 year, compiled from the reports for that year submitted in
23 accordance with subsection 3. The department shall ensure that
24 none of the information included in the public reports could
25 reasonably lead to the identification of any woman upon whom an
26 abortion was performed.
27 *b.(1)* A physician who fails to submit a report by the end
28 of thirty days following the due date shall be subject to a
29 late fee of one hundred dollars for each additional thirty-day
30 period or portion of a thirty-day period the report is overdue.
31 *(2)* A physician required to report in accordance with
32 subsection 3 who has not submitted a report or who has
33 submitted only an incomplete report more than one year
34 following the due date, may, in an action brought in the
35 manner in which actions are brought to enforce chapter 148,

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1 be directed by a court of competent jurisdiction to submit a
2 complete report within a time period stated by court order or
3 be subject to contempt of court.
4 *(3)* A physician who intentionally or recklessly falsifies
5 a report required under this section is subject to a civil
6 penalty of five hundred dollars.
7 *5.* Any medical facility in which a physician is authorized

8 to perform an abortion shall implement written medical
9 policies and procedures consistent with the requirements and
10 prohibitions of this chapter.

11 6. The department shall adopt rules to implement this
12 section.

13 Sec. 4.NEW SECTION. **146C.4 Civil actions and penalties.**

14 1. Failure of a physician to comply with any provision of
15 section 146C.3, with the exception of the late filing of a
16 report or failure to submit a complete report in compliance
17 with a court order, is grounds for licensee discipline under
18 chapter 148.

19 2. A woman upon whom an abortion has been performed in
20 violation of this chapter may maintain an action against the
21 physician who performed the abortion in intentional or reckless
22 violation of this chapter for actual damages.

23 3. A woman upon whom an abortion has been attempted in
24 violation of this chapter may maintain an action against the
25 physician who attempted the abortion in intentional or reckless
26 violation of this chapter for actual damages.

27 4. A cause of action for injunctive relief to prevent a
28 physician from performing abortions may be maintained against a
29 physician who has intentionally violated this chapter by the
30 woman upon whom the abortion was performed or attempted, by
31 a parent or guardian of the woman if the woman is less than
32 eighteen years of age at the time the abortion was performed
33 or attempted, by a current or former licensed health care
34 provider of the woman, by a county attorney with appropriate
35 jurisdiction, or by the attorney general.

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1 5. If the plaintiff prevails in an action brought under
2 this section, the plaintiff shall be entitled to an award for
3 reasonable attorney fees.

4 6. If the defendant prevails in an action brought under
5 this section and the court finds that the plaintiff's suit was
6 frivolous and brought in bad faith, the defendant shall be
7 entitled to an award for reasonable attorney fees.

8 7. Damages and attorney fees shall not be assessed against
9 the woman upon whom an abortion was performed or attempted
10 except as provided in subsection 6.

11 8. In a civil proceeding or action brought under this
12 chapter, the court shall rule whether the anonymity of any
13 woman upon whom an abortion has been performed or attempted
14 shall be preserved from public disclosure if the woman does not
15 provide consent to such disclosure. The court, upon motion
16 or on its own motion, shall make such a ruling and, upon
17 determining that the woman's anonymity should be preserved,
18 shall issue orders to the parties, witnesses, and counsel
19 and shall direct the sealing of the record and exclusion of
20 individuals from courtrooms or hearing rooms to the extent
21 necessary to safeguard the woman's identity from public

22 disclosure. Each such order shall be accompanied by specific
 23 written findings explaining why the anonymity of the woman
 24 should be preserved from public disclosure, why the order is
 25 essential to that end, how the order is narrowly tailored to
 26 serve that interest, and why no reasonable less restrictive
 27 alternative exists. In the absence of written consent of the
 28 woman upon whom an abortion has been performed or attempted,
 29 anyone, other than a public official, who brings an action
 30 under this section shall do so under a pseudonym. This
 31 subsection shall not be construed to conceal the identity
 32 of the plaintiff or of witnesses from the defendant or from
 33 attorneys for the defendant.
 34 9. This chapter shall not be construed to impose civil
 35 or criminal liability on a woman upon whom an abortion is

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1 performed or attempted.
 2 Sec. 5.EFFECTIVE DATE. This Act, being deemed of immediate
 3 importance, takes effect upon enactment.>>
 4 2. Title page, lines 1 and 2, by striking <fetal body parts
 5 and providing penalties.> and inserting <an unborn child,
 6 providing penalties, and including effective date provisions.>
 7 3. By renumbering as necessary.>

RIZER of Linn

H-8363

1 Amend House File 2442, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 2, by striking lines 2 through 8 and inserting
 4 <recovered.>
 5 2. Page 2, after line 15 by inserting:
 6 < 0c. "Emergency medical care provider" means the same as
 7 defined in section 147A.1.>
 8 3. Page 2, line 16, after <any> by inserting <dance or
 9 cheerleading activity or>
 10 4. Page 2, lines 17 and 18, by striking <practice, including
 11 sports, dance, or cheerleading> and inserting <practice
 12 governed by the Iowa high school athletic association or the
 13 Iowa girls high school athletic union that is a contact or
 14 limited contact activity as identified by the American academy
 15 of pediatrics>
 16 5. By striking page 2, line 34, through page 3, line 1, and
 17 inserting <Iowa high school athletic association or the Iowa
 18 girls high school athletic union, as applicable.>
 19 6. Page 3, line 14, by striking <Annually,> and inserting
 20 <For school years beginning on or after July 1, 2018,>
 21 7. Page 3, line 15, after <student> by inserting <in grades
 22 seven through twelve>
 23 8. Page 3, line 25, after <provider> by inserting <or an

24 emergency medical care provider>

25 9. Page 3, line 34, by striking <the> and inserting <a>

26 10. By striking page 3, line 35, through page 4, line 15,
27 and inserting:

28 <6. *Return-to-play protocol and return-to-learn plans.*

29 a. The department of public health, in cooperation with the
30 Iowa high school athletic association and the Iowa girls high
31 school athletic union, shall develop a return-to-play protocol
32 based on peer-reviewed scientific evidence consistent with the
33 guidelines of the centers for disease control and prevention
34 of the United States department of health and human services,
35 for a student's return to participation in an extracurricular

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1 interscholastic activity after showing signs, symptoms, or
2 behaviors consistent with a concussion or brain injury. The
3 department of public health shall adopt the return-to-play
4 protocol by rule pursuant to chapter 17A. The board of
5 directors of each school district and the authorities in charge
6 of each accredited nonpublic school with enrolled students who
7 participate in an extracurricular interscholastic activity
8 which is a contest in grades seven through twelve shall adopt
9 such protocol by July 1, 2019.

10 b. Personnel of a school district or accredited nonpublic
11 school with enrolled students who participate in an
12 extracurricular interscholastic activity which is a contest in
13 grades seven through twelve shall develop a return-to-learn
14 plan based on guidance developed by the brain injury
15 association of America in cooperation with a student removed
16 from participation in an extracurricular interscholastic
17 activity and diagnosed with a concussion or brain injury, the
18 student's parent or guardian, and the student's licensed health
19 care provider to accommodate the student as the student returns
20 to the classroom.>

21 11. Page 4, line 32, by striking <fully implements the
22 protocols> and inserting <adopts and follows the protocol>

23 12. Page 4, line 33, after <provides> by inserting <an
24 emergency medical care provider or>

25 13. Page 4, line 33, after <contest> by inserting <that
26 is a contact or limited contact activity as identified by the
27 American academy of pediatrics>

28 14. Page 4, line 35, after <of> by inserting <the emergency
29 medical care provider or>

30 15. Page 5, line 2, after <as> by inserting <the emergency
31 medical care provider or>

32 16. Page 5, line 7, after <school.> by inserting <A school
33 district or accredited nonpublic school shall not be liable for
34 any claim for injuries or damages if an emergency medical care
35 provider or a licensed health care provider who was scheduled

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- 1 to be present and available at a contest is not able to be
 2 present and available due to unforeseen circumstances and
 3 the school district or accredited nonpublic school otherwise
 4 followed the protocol.>
 5 17. Page 5, line 8, by striking <A> and inserting <An
 6 emergency medical care provider or a>
 7 18. Page 5, line 11, after <as> by inserting <the emergency
 8 medical care provider or>
 9 19. Page 5, by striking lines 17 through 26.
 10 20. Page 5, before line 27 by inserting:
 11 <Sec. __.IMPLEMENTATION OF RULES. If the rules required
 12 to be adopted by the department of public health pursuant to
 13 section 280.13C, subsection 6, as enacted by this Act, have not
 14 become effective as of July 1, 2019, the board of directors
 15 of each school district and the authorities in charge of
 16 each accredited nonpublic school with enrolled students who
 17 participate in an extracurricular interscholastic activity
 18 which is a contest in grades seven through twelve shall adopt
 19 the return-to-play protocol as soon as practicable after such
 20 rules become effective.>
 21 21. By renumbering, redesignating, and correcting internal
 22 references as necessary.

SENATE AMENDMENT

H-8364

- 1 Amend House File 637, as passed by the House, as follows:
 2 1. Page 1, line 3, by striking <2017> and inserting <2018>
 3 2. Page 1, line 21, by striking <check and> and inserting
 4 <check and, if requested,>
 5 3. Page 1, line 34, by striking <2017> and inserting <2018>
 6 4. Page 2, line 11, by striking <2017> and inserting <2018>
 7 5. Page 2, line 14, by striking <2017> and inserting <2018>
 8 6. Page 3, line 1, by striking <The applicant shall> and
 9 inserting <If a background investigation is conducted, the
 10 applicant shall>
 11 7. Page 3, after line 17 by inserting:
 12 <DIVISION __
 13 EFFECTIVE DATE
 14 Sec. __.EFFECTIVE DATE. This Act, being deemed of
 15 immediate importance, takes effect upon enactment.>
 16 8. Title page, line 4, by striking <division and> and
 17 inserting <division,>
 18 9. Title page, line 4, by striking <council> and inserting
 19 <council, and including effective date provisions>
 20 10. By renumbering as necessary.

SENATE AMENDMENT

H-8365

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 4, by striking lines 10 and 11.
 4 2. By striking page 10, line 26, through page 11, line 4.
 5 3. By renumbering as necessary.

FORBES of Polk

H-8366

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 9, line 35, through page 10, line 1, and
 4 inserting:
 5 <Sec. ____ Section 476.6, subsection 17, Code 2018, is
 6 amended to read as follows:
 7 17. *Energy efficiency program financing.* The board ~~may~~ shall
 8 require each rate-regulated gas or electric public utility to
 9 offer qualified customers the opportunity to enter into an
 10 agreement for the amount of moneys reasonably necessary to
 11 finance cost-effective energy efficiency improvements to the
 12 qualified customers' residential dwellings or businesses.>
 13 2. By renumbering as necessary.

OLDSON of Polk

H-8367

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 7, line 20, through page 8, line 12, and
 4 inserting:
 5 <(2) The board may approve, reject, or modify the plans and>
 6 2. Page 8, by striking lines 18 through 26.
 7 3. Page 8, line 27, by striking ~~<(4)>~~ and inserting <(3)>
 8 4. Page 8, line 28, by striking ~~<the office of consumer~~
 9 ~~advocate or>~~ and inserting <the office of consumer advocate or>
 10 5. Page 9, by striking lines 13 through 16 and inserting
 11 <paragraph "e">

FORBES of Polk

H-8368

- 1 Amend House File 2479 as follows:
 2 1. Page 1, line 35, after ~~<election.>~~ by inserting <However,
 3 to reduce emergency medical service response times and the
 4 quality of emergency medical service provided to the township,
 5 taxes collected under this paragraph in excess of the amount
 6 of taxes resulting from imposition of the tax at the rate
 7 specified in paragraph "a" shall be used exclusively for the

8 provision of emergency medical service in the township by
 9 firefighters or emergency medical service personnel residing in
 10 the township or by emergency medical service providers located
 11 in the township, including for the training of such personnel
 12 and the purchase of emergency medical service equipment.>

ZUMBACH of Linn

H-8369

1 Amend Senate File 2227, as passed by the Senate, as follows:
 2 1. Page 1, line 6, after <law;> by inserting <the complete
 3 text of any questions or propositions submitted to the
 4 registered voters of the county by the board of supervisors,
 5 which shall be published with the required notice of a general
 6 or special election;>

McKEAN of Jones

H-8370

1 Amend House File 2372, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, by striking lines 9 through 24 and inserting
 4 <special election as provided in section 331.207.
 5 Sec. ____ Section 331.207, Code 2018, is amended by adding
 6 the following new subsection:
 7 NEW SUBSECTION. 5A. Notwithstanding any provision of this
 8 section to the contrary, a county with a population of sixty
 9 thousand or more based on the most recent federal decennial
 10 census that elects supervisors under plan “three” shall not
 11 change from plan “three” to plan “one” or plan “two” pursuant
 12 to a special election under this section unless a plan “one” or
 13 plan “two” representation plan is adopted by a two-thirds vote
 14 of the ballots cast in the special election.>
 15 2. Page 3, after line 25 by inserting:
 16 <DIVISION ____
 17 EFFECTIVE DATE
 18 Sec. ____EFFECTIVE DATE. This Act, being deemed of
 19 immediate importance, takes effect upon enactment.>
 20 3. Title page, line 2, after <plans> by inserting <and
 21 including effective date provisions>
 22 4. By renumbering as necessary.

SENATE AMENDMENT

H-8371

1 Amend House File 2479 as follows:
 2 1. By striking page 1, line 1, through page 3, line 18, and
 3 inserting:
 4 <Section 1. Section 359.42, Code 2018, is amended to read
 5 as follows:

6 **359.42 Township fire protection service, emergency warning**
 7 **system, and emergency medical service.**

8 Except as otherwise provided in section 331.385, the
 9 trustees of each township shall provide fire protection service
 10 for the township, exclusive of any part of the township within
 11 a benefited fire district and may provide emergency medical
 12 service. However, except as otherwise provided in section
 13 331.385, the trustees of a township shall provide emergency
 14 medical service for the township if required to do so by a
 15 proposition approved under section 359.44. The trustees may
 16 purchase, own, rent, or maintain fire protection service or
 17 emergency medical service apparatus or equipment or both
 18 kinds of apparatus or equipment and provide housing for the
 19 equipment. The trustees of a township which is located within
 20 a county having a population of three hundred thousand or
 21 more may also establish and maintain an emergency warning
 22 system within the township. The trustees may contract with a
 23 public or private agency under chapter 28E for the purpose of
 24 providing any service or system required or authorized under
 25 this section.>

26 2. By striking page 4, line 35, through page 5, line 4.

27 3. Page 5, line 5, by striking <4.> and inserting <3.>

28 4. Page 5, line 15, by striking <5.> and inserting <4.>

29 5. Page 5, line 17, by striking <6.> and inserting <5.>

30 6. Page 5, by striking line 22 and inserting:

31 < 6. In lieu of the procedure under subsection 5, the>

32 7. Page 5, by striking lines 27 through 31.

33 8. Title page, by striking lines 1 through 5 and inserting

34 <An Act establishing a process for voter approval of a

35 proposition to require a township to provide emergency medical

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1 service.>

2 9. By renumbering, redesignating, and correcting internal

3 references as necessary.

NIELSEN of Johnson

H-8372

1 Amend Senate File 2316, as passed by the Senate, as follows:

2 1. Page 14, after line 1 by inserting:

3 <Sec. ____ . Section 508.25, Code 2018, is amended to read as

4 follows:

5 **508.25 Policy forms — ~~approval and notification of lapse of~~**
 6 **policy.**

7 1. It shall be unlawful for any insurance company
 8 transacting business within this state, under the provisions of
 9 this chapter, to ~~write~~ do any of the following:

10 a. Write or use any form of policy or contract of insurance,

11 on the life of any individual in this state, until a copy

12 of such form of policy or contract has been filed with and
 13 approved by the commissioner of insurance.

14 b. Fail to provide at least thirty calendar days' advance
 15 written notice to a policyholder's last known address prior
 16 to termination or lapse of the policyholder's universal life
 17 policy or contract. The notice shall be in a conspicuously
 18 labeled envelope that indicates it contains important,
 19 time-sensitive information.

20 c. Fail to provide the notice required pursuant to
 21 subsection 2. The notice shall be provided by the insurer to a
 22 policyholder with the notice provided pursuant to paragraph "b"
 23 or as required by rules adopted by the commissioner.

24 2. The commissioner shall develop a written notice that
 25 shall be provided by an insurer to a policyholder to advise
 26 the policyholder of potential alternatives to the lapse or
 27 surrender of the policyholder's universal life policy or
 28 contract. The notice shall comply with all of the following:

29 a. It shall be written in plain language.

30 b. It shall be developed at no cost to insurers or other
 31 entities licensed by the commissioner to conduct the business
 32 of life insurance.

33 c. It shall advise a policyholder of the policyholder's
 34 rights regarding disposition of the policyholder's policy.

35 d. It shall advise the policyholder that life insurance, a

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1 life settlement, or other alternative may be available to the
 2 policyholder dependent upon the terms of the policyholder's
 3 universal life policy or contract and other factors including
 4 the age and health status of the insured person.

5 e. It shall advise the policyholder to contact the
 6 policyholder's financial advisor, insurance agent, insurance
 7 broker, or attorney to obtain advice or assistance.

8 3. The commissioner shall adopt rules pursuant to chapter
 9 17A to specifically administer the written notice requirements
 10 of this section.>

11 2. Title page, by striking lines 1 and 2 and inserting <An
 12 Act relating to transactions and notifications by domestic
 13 stock insurers and life insurance companies.>

14 3. By renumbering as necessary.

PETTENGILL of Benton

H-8373

1 Amend House File 2481 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 257.2, subsection 8, Code 2018, is
 4 amended by adding the following new paragraph:
 5 NEW PARAGRAPH. e. Foundation base supplement payments
 6 received under section 257.16C.

7 Sec. ____ Section 257.4, subsection 1, paragraph a, Code
 8 2018, is amended by adding the following new subparagraph:
 9 NEW SUBPARAGRAPH. (10) The amount of the foundation base
 10 supplement payment to be received by the school district under
 11 section 257.16C.

12 Sec. ____ Section 257.4, subsection 1, paragraph b, Code
 13 2018, is amended to read as follows:

14 *b.* For the budget year beginning July 1, 2008, and
 15 succeeding budget years, the department of management shall
 16 annually determine an adjusted additional property tax levy
 17 and a statewide maximum adjusted additional property tax
 18 levy rate, not to exceed the statewide average additional
 19 property tax levy rate, calculated by dividing the total
 20 adjusted additional property tax levy dollars statewide by the
 21 statewide total net taxable valuation. For purposes of this
 22 paragraph, the adjusted additional property tax levy shall be
 23 that portion of the additional property tax levy corresponding
 24 to the state cost per pupil multiplied by a school district's
 25 weighted enrollment, and then multiplied by one hundred
 26 percent less the regular program foundation base per pupil
 27 percentage pursuant to section 257.1, and then reduced by the
 28 amount of the property tax replacement payment to be received
 29 under section 257.16B and the amount of the foundation base
 30 supplement payment to be received under section 257.16C. The
 31 district shall receive adjusted additional property tax levy
 32 aid in an amount equal to the difference between the adjusted
 33 additional property tax levy rate and the statewide maximum
 34 adjusted additional property tax levy rate, as applied per
 35 thousand dollars of assessed valuation on all taxable property

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1 in the district. The statewide maximum adjusted additional
 2 property tax levy rate shall be annually determined by the
 3 department taking into account amounts allocated pursuant to
 4 section 257.15, subsection 4, and the balance of the property
 5 tax equity and relief fund created in section 257.16A at the
 6 end of the calendar year.>

7 2. Page 1, by striking lines 14 through 33 and inserting:
 8 <Sec. ____NEW SECTION. **257.16C Foundation base supplement**
 9 **fund.**

10 1. A foundation base supplement fund is created as a
 11 separate and distinct fund in the state treasury under the
 12 control of the department of management. Moneys in the fund
 13 include revenues credited to the fund, appropriations made to
 14 the fund, and other moneys deposited into the fund.

15 2.a. There is appropriated annually from the fund to
 16 the department of management an amount necessary to make all
 17 foundation base supplement payments under this section. The
 18 department of management shall calculate each school district's
 19 foundation base supplement payment based on the distribution
 20 methodology under paragraph "b".

21 *b.* The moneys available in a fiscal year in the foundation
 22 base supplement fund shall be distributed by the department
 23 of revenue to each school district on a per pupil basis
 24 calculated using each school district's weighted enrollment,
 25 as defined in section 257.6, for that fiscal year. However,
 26 the amount of a school district's foundation base supplement
 27 payment for a budget year shall not exceed an amount equal to
 28 the school district's weighted enrollment for the budget year
 29 multiplied by the amount for the budget year calculated under
 30 section 257.16B, subsection 2, paragraph "f", subparagraph
 31 (2), as enacted in 2018 Iowa Acts, House File 2230, §4, minus
 32 the amount of the school district's property tax replacement
 33 payment under section 257.16B for the budget year.
 34 3. Notwithstanding section 8.33, any moneys remaining in
 35 the foundation base supplement fund at the end of a fiscal year

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1 shall not revert to any other fund but shall remain in the
 2 foundation base supplement fund for use as provided in this
 3 section for the following fiscal year.>
 4 3. Page 2, line 3, after <department> by inserting <of
 5 education>
 6 4. Page 2, line 5, after <department> by inserting <of
 7 education>
 8 5. Page 2, line 9, after <department> by inserting <of
 9 education>
 10 6. Page 2, line 18, after <department> by inserting <of
 11 education>
 12 7. Page 2, line 26, after <department> by inserting <of
 13 education>
 14 8. Page 4, line 2, by striking <percentage> and inserting
 15 <supplement>
 16 9. Page 5, line 20, by striking <percentage> and inserting
 17 <supplement>
 18 10. Title page, by striking lines 6 and 7 and inserting <to
 19 the calculation of the additional property tax levy, and making
 20 appropriations.>
 21 11. By renumbering as necessary.

DOLECHECK of Ringgold

H-8374

1 Amend House File 2481 as follows:
 2 1. Page 7, after line 13 by inserting:
 3 <Sec. ____. Section 423F.3, subsection 6, Code 2018, is
 4 amended by adding the following new paragraph:
 5 **NEW PARAGRAPH.** *Od.* Additionally, "school infrastructure"
 6 includes school safety and security infrastructure. For
 7 purposes of this paragraph, "school safety and security
 8 infrastructure" includes but is not limited to safe rooms,

9 remote entry technology and equipment, security camera systems,
 10 card access systems, and communication systems with access to
 11 fire and police emergency frequencies. For purposes of this
 12 paragraph, "school safety and security infrastructure" does
 13 not include the cost of personnel, development of safety and
 14 security plans, or training related to the implementation of
 15 safety and security plans.>
 16 2. By renumbering as necessary.

KOESTER of Polk

H-8375

1 Amend the amendment, H-8363, to House File 2442, as amended,
 2 passed, and reprinted by the House, as follows:
 3 1. Page 1, after line 24 by inserting:
 4 <__. Page 3, line 30, after <participation> by inserting
 5 <or participate in any dance or cheerleading activity or
 6 activity, contest, or practice governed by the Iowa high school
 7 athletic association or the Iowa girls high school athletic
 8 union>
 9 __. Page 3, line 34, after <to> by inserting <or commence>>
 10 2. Page 1, line 35, by striking <an> and inserting <any>
 11 3. Page 2, line 35, by striking <scheduled> and inserting
 12 <in accordance with a prearranged agreement with the school
 13 district or accredited nonpublic school>
 14 4. Page 3, line 2, before <unforeseen> by inserting
 15 <documentable,>
 16 5. By renumbering as necessary.

JONES of Clay

H-8376

1 Amend Senate Joint Resolution 2006, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the resolving clause and
 4 inserting:
 5 <Section 1. The following amendment to the Constitution of
 6 the State of Iowa is proposed:
 7 Section 4 of Article IV of the Constitution of the State of
 8 Iowa, as amended by amendment number 1 of the Amendments of
 9 1952 and by amendment number 1 of the Amendments of 1988, is
 10 repealed and the following adopted in lieu thereof:
 11 **Election by general assembly in case of tie — inability of**
 12 **governor-elect to qualify — succession by lieutenant governor —**
 13 **inauguration of governor and lieutenant governor upon removal of**
 14 **inability of governor-elect to qualify.** SEC. 4. The nominees
 15 for governor and lieutenant governor jointly having the highest
 16 number of votes cast for them shall be declared duly elected.
 17 If two or more sets of nominees for governor and lieutenant
 18 governor have an equal and the highest number of votes for

19 the offices jointly, the general assembly shall by joint vote
 20 proceed, as soon as is possible, to elect one set of nominees
 21 for governor and lieutenant governor.

22 If after the final canvass of votes but before inauguration
 23 the governor-elect has since died, does not qualify, or
 24 is permanently unable to become governor, the lieutenant
 25 governor-elect shall become the governor upon inauguration, to
 26 the exclusion of any other office, for the residue of the term.

27 In the event of a temporary inability of the governor-elect
 28 to assume office, the lieutenant governor-elect shall become
 29 governor upon inauguration, until the inability is removed, at
 30 which time, the governor-elect and lieutenant governor-elect
 31 shall become governor and lieutenant governor, respectively,
 32 upon inauguration.

33 Section 10 of Article IV of the Constitution of the State of
 34 Iowa is amended to read as follows:

35 **Vacancies — lieutenant governor vacancy.** SEC. 10. When

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1 any office, excluding the office of lieutenant governor,
 2 shall, from any cause, become vacant, and no mode is provided
 3 by the constitution and laws for filling such vacancy, the
 4 governor shall have power to fill such vacancy, by granting a
 5 commission, which shall expire at the end of the next session
 6 of the general assembly, or at the next election by the people.

7 When the office of lieutenant governor shall, from any
 8 cause, become vacant, and no mode is otherwise provided by the
 9 constitution for filling such vacancy, the governor shall have
 10 power to fill such vacancy for the residue of the term, by
 11 granting a commission, which shall expire as provided in the
 12 constitution.

13 Section 17 of Article IV of the Constitution of the State of
 14 Iowa is repealed and the following adopted in lieu thereof:

15 **Lieutenant governor to become governor — filling of**
 16 **lieutenant governor vacancy.** SEC. 17. In case of death,
 17 impeachment, resignation, removal from office, or other
 18 inability to serve of the governor, the lieutenant governor
 19 shall succeed and become the governor, to the exclusion of any
 20 other office. If the preceding governor thereafter becomes
 21 able to serve, the preceding governor shall become governor and
 22 the succeeding governor shall resume the office of lieutenant
 23 governor, to the exclusion of any other office, each for the
 24 residue of the term, respectively. If the succeeding governor
 25 has filled a vacancy in the office of lieutenant governor
 26 by granting a commission, that commission shall expire upon
 27 the resumption of the office of lieutenant governor by the
 28 preceding lieutenant governor.

29 Section 19 of Article IV of the Constitution of the State
 30 of Iowa, as amended by amendment number 2 of the Amendments of
 31 1952 and by amendment number 2 of the Amendments of 1988, is
 32 repealed and the following adopted in lieu thereof:

33 **Succession to office of governor and lieutenant governor —**
 34 **simultaneous inability to serve — qualification of successor**
 35 **governor to office.** SEC. 19. If the governor and lieutenant

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1 governor are simultaneously unable to serve, the president of
 2 the senate shall become governor, followed by the speaker of
 3 the house of representatives if the president of the senate
 4 is unable or unwilling to serve, followed by the president
 5 pro tempore of the senate if the speaker of the house of
 6 representatives is unable or unwilling to serve, followed
 7 by the speaker pro tempore of the house of representatives
 8 if the president pro tempore of the senate is unable or
 9 unwilling to serve, each succeeding, to the exclusion of any
 10 other office. If none of the above are able or willing to
 11 serve as governor and the general assembly is not in session,
 12 the justices of the supreme court shall convene the general
 13 assembly by proclamation and the general assembly shall
 14 organize by the election of a president of the senate and a
 15 speaker of the house of representatives. The president-elect
 16 of the senate shall then become governor. If at that time the
 17 president-elect of the senate is unable or unwilling to serve,
 18 the speaker-elect of the house of representatives shall become
 19 governor.

20 If the governor so succeeded becomes able to serve, the
 21 governor so succeeded shall resume the office of governor. If
 22 the lieutenant governor so succeeded becomes able to serve
 23 while the governor so succeeded remains unable to serve, the
 24 lieutenant governor so succeeded shall assume the office of
 25 governor.

26 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
 27 amendment to the Constitution of the State of Iowa is referred
 28 to the general assembly to be chosen at the next general
 29 election for members of the general assembly, and the secretary
 30 of state is directed to cause the proposed amendment to be
 31 published for three consecutive months previous to the date of
 32 that election as provided by law.>

BALTIMORE of Boone

H-8377

1 Amend Senate File 2388, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 3, by striking lines 14 and 15 and inserting <4,
 4 and to the extent provided in subsection 6A, property that is
 5 transmission property shall not be assessed and taxed as real
 6 property.>

7 2. Page 3, by striking lines 19 and 20 and inserting
 8 <subsection. However, to the extent provided in subsection 6A,

9 property that is transmission property shall not be assessed
 10 and taxed as
 11 3. Page 3, line 29, after <6A.> by inserting <a.>
 12 4. Page 4, line 2, by striking <towers,>
 13 5. Page 4, line 5, after <subscribers.> by inserting
 14 <"Transmission property" does not include a tower as defined in
 15 section 8C.2.>
 16 6. Page 4, after line 5 by inserting:
 17 <b. Transmission property that is not subject to assessment
 18 and taxation under chapter 433, shall be subject to assessment
 19 and taxation as follows:
 20 (1) For the assessment year beginning January 1, 2019, at
 21 seventy-five percent of the transmission property's actual
 22 value.
 23 (2) For the assessment year beginning January 1, 2020, at
 24 fifty percent of the transmission property's actual value.
 25 (3) For the assessment year beginning January 1, 2021, at
 26 thirty percent of the transmission property's actual value.
 27 (4) For the assessment year beginning January 1, 2022, and
 28 each subsequent assessment year, transmission property shall
 29 not be assessed and taxed as real property.>
 30 7. Page 11, by striking lines 29 through 33 and inserting:
 31 <_. The section of this Act amending section 476.1D.>
 32 8. Page 12, by striking lines 23 through 27 and inserting:
 33 <_. The section of this Act amending section 476.1D.>
 34 9. By renumbering, redesignating, and correcting internal
 35 references as necessary.

COMMITTEE ON WAYS AND MEANS

H-8378

1 Amend the House amendment, H-8376, to Senate Joint
 2 Resolution 2006, as amended, passed, and reprinted by the
 3 Senate, as follows:
 4 1. Page 2, line 11, after <commission,> by inserting
 5 <subject to approval by a majority vote of the members of each
 6 house of the general assembly.>

STECKMAN of Cerro Gordo

H-8379

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 3, by striking lines 15 through 24 and inserting:
 4 < g. Filing energy efficiency plans and energy efficiency
 5 results with the board. The energy efficiency plans as a
 6 whole shall be cost effective. The board may permit these
 7 utilities to file joint plans. The board shall periodically
 8 report the energy efficiency results including energy savings
 9 of each of these utilities to the general assembly. The board

10 ~~may waive all or part of the energy efficiency filing and~~
 11 ~~review requirements for electric cooperative corporations and~~
 12 ~~associations and electric public utilities which demonstrate~~
 13 ~~superior results with existing energy efficiency efforts.>~~
 14 2. Page 4, lines 10 and 11, by striking <paragraph f, Code
 15 2018, is amended by striking the paragraph> and inserting
 16 <paragraphs f and l, Code 2018, are amended by striking the
 17 paragraphs>
 18 3. Page 6, line 3, after <file> by inserting <five-year>
 19 4. Page 6, lines 13 and 14, by striking <or demand response>
 20 5. Page 9, line 16, after <476.42> by inserting <that are
 21 installed on or after January 1, 2019>
 22 6. Page 10, after line 7 by inserting:
 23 <Sec. ____ Section 479.6, Code 2018, is amended by adding
 24 the following new subsection:
 25 NEW SUBSECTION. 23. Ratepayer refund schedules. The board
 26 shall, no later than May 1, 2018, approve ratepayer refund
 27 schedules currently filed by rate-regulated gas or electric
 28 utilities in response to benefits resulting from the federal
 29 Tax Cuts and Jobs Act of 2017, Pub. L. No. 115-97, 131 Stat.
 30 2054.>
 31 7. Page 12, by striking lines 4 through 6 and inserting <the
 32 actual costs and revenues are reasonably consistent with those
 33 approved by the board. If the actual costs and revenues are
 34 not reasonably consistent with those approved by the board, the
 35 board shall>

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1 8. Page 12, line 15, by striking <paragraph> and inserting
 2 <subsection>
 3 9. Page 13, by striking lines 10 and 11 and inserting:
 4 <1. The section of this Act amending section 476.6,
 5 subsection 15, paragraphs “e”, “f”, and “g”.
 6 2. The section of this Act enacting section 476.6,
 7 subsection 23.>>
 8 10. By renumbering as necessary.

CARLSON of Muscatine

H-8380

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 4, line 35, by striking <subsections 8 and 13, Code
 4 2018, are> and inserting <subsection 13, Code 2018, is>
 5 2. Page 5, by striking lines 2 through 16.

HEATON of Henry

H-8381

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 15 through 24 and inserting:
4 ~~<g. Filing energy efficiency plans and energy efficiency~~
5 ~~results with the board. The energy efficiency plans as a~~
6 ~~whole shall be cost effective. The board may permit these~~
7 ~~utilities to file joint plans. The board shall periodically~~
8 ~~report the energy efficiency results including energy savings~~
9 ~~of each of these utilities to the general assembly. The board~~
10 ~~may waive all or part of the energy efficiency filing and~~
11 ~~review requirements for electric cooperative corporations and~~
12 ~~associations and electric public utilities which demonstrate~~
13 ~~superior results with existing energy efficiency efforts.>~~

14 2. Page 4, lines 10 and 11, by striking <paragraph f, Code
15 2018, is amended by striking the paragraph> and inserting
16 <paragraphs f and l, Code 2018, are amended by striking the
17 paragraphs>

18 3. Page 6, line 3, after <file> by inserting <five-year>

19 4. Page 6, lines 13 and 14, by striking <or demand response>

20 5. Page 9, line 16, after <476.42> by inserting <that are
21 installed on or after January 1, 2019>

22 6. Page 10, after line 7 by inserting:

23 <Sec. ____ Section 476.6, Code 2018, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 23. Ratepayer refund schedules.

26 Notwithstanding any other provision of law or rule to the
27 contrary, the board shall, no later than May 15, 2018, approve
28 ratepayer refund schedules currently filed by rate-regulated
29 gas or electric utilities in response to benefits resulting
30 from the federal Tax Cuts and Jobs Act of 2017, Pub. L. No.
31 115-97, 131 Stat. 2054.>

32 7. Page 12, by striking lines 4 through 6 and inserting <the
33 actual costs and revenues are reasonably consistent with those
34 approved by the board. If the actual costs and revenues are
35 not reasonably consistent with those approved by the board, the

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1 board shall>

2 8. Page 12, line 15, by striking <paragraph> and inserting
3 <subsection>

4 9. Page 13, by striking lines 10 and 11 and inserting:

5 <1. The section of this Act amending section 476.6,
6 subsection 15, paragraphs “e”, “f”, and “g”.

7 2. The section of this Act enacting section 476.6,
8 subsection 23.>>

9 10. By renumbering as necessary.

H-8382

- 1 Amend House File 2342, as amended, passed, and reprinted by
 2 the House, as follows:
- 3 1. Page 1, lines 13 and 14, by striking ~~<of, or direct the~~
 4 ~~disposal of,>~~ and inserting ~~<of, or direct the disposal of,>~~
 5 2. Page 1, line 21, by striking ~~<commission or disposed of~~
 6 ~~and>~~ and inserting ~~<commission, or disposed of, or>~~
 7 3. Page 2, line 3, after ~~<481.13A>~~ by inserting ~~<unless~~
 8 ~~the property is fish or wildlife that is illegal to possess,~~
 9 ~~including fish or wildlife that was taken, possessed, or~~
 10 ~~transported unlawfully>~~
 11 4. Page 2, line 9, after ~~<seized.>~~ by inserting ~~<However,~~
 12 ~~the state shall not return any fish or wildlife that is~~
 13 ~~illegal to possess, including fish or wildlife that was taken,~~
 14 ~~possessed, or transported unlawfully.>~~
 15 5. Page 5, line 9, after ~~<6.>~~ by inserting ~~<a.>~~
 16 6. Page 5, after line 21 by inserting:
 17 ~~<b. The department shall provide a form on which a person~~
 18 ~~purchasing property seized pursuant to section 481A.12 or~~
 19 ~~483A.32 shall declare that the person is not an employee of the~~
 20 ~~seizing public agency or a member of the immediate family of an~~
 21 ~~employee of the seizing public agency.>~~

SENATE AMENDMENT

H-8383

- 1 Amend House File 2397, as passed by the House, as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 ~~<Section 1.~~**NEW SECTION. 671A.1 Limitation on liability**
 5 **for negligently hiring or failing to supervise an employee,**
 6 **agent, or independent contractor convicted of a public offense.**
 7 1. A cause of action shall not be brought against a private
 8 employer, general contractor, or premises owner solely for
 9 negligently hiring or failing to adequately supervise an
 10 employee, agent, or independent contractor, based on evidence
 11 that the employee, agent, or independent contractor has been
 12 convicted of a public offense as defined in section 701.2.
 13 2. This chapter does not create a cause of action, expand
 14 an existing cause of action, or apply to the cause of action of
 15 negligent retention.
 16 3. This chapter does not apply to employment of prisoners
 17 at prisons.
 18 4. This chapter does not alter any statutory provision
 19 allowing an employer to conduct a criminal history background
 20 investigation or consider criminal history records in the
 21 employment process for particular types of employment.
 22 **Sec. 2.****NEW SECTION. 671A.2 Liability protection not**
 23 **applicable.**
 24 1. This chapter does not preclude a cause of action for

25 negligent hiring by or the failure of a private employer,
26 general contractor, or premises owner to provide adequate
27 supervision of an employee, agent, or independent contractor,
28 based on evidence that the employee, agent, or independent
29 contractor has been convicted of a public offense as defined in
30 section 701.2, if all of the following criteria are met:
31 a. The private employer, general contractor, or premises
32 owner knew or should have known of the conviction.
33 b. The employee, agent, or independent contractor was
34 convicted of any of the following:
35 (1) A public offense that was committed while performing

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1 acts substantially similar to those reasonably expected to
2 be performed in the employment or under the relationship or
3 contract, or under conditions substantially similar to those
4 reasonably expected to be encountered in the employment or
5 under the relationship or contract, taking into consideration
6 all of the following factors:
7 (a) The nature and seriousness of the public offense.
8 (b) The relationship of the public offense to the ability,
9 capacity, or fitness required to perform the duties and
10 discharge the responsibilities of the employment or the
11 relationship or contract.
12 (c) The extent and nature of the employee, agent, or
13 independent contractor's past criminal activity.
14 (d) The age of the employee, agent, or independent
15 contractor when the public offense was committed.
16 (e) The amount of time that has elapsed since the employee,
17 agent, or independent contractor's last criminal activity.
18 (f) The conduct and work activity of an employee, agent, or
19 independent contractor before and after the criminal activity.
20 (g) Evidence of the employee, agent, or independent
21 contractor's rehabilitation or rehabilitative effort while
22 incarcerated or after release.
23 (h) Other evidence of the employee, agent, or independent
24 contractor's fitness, including letters of recommendation from
25 any of the following:
26 (i) Prosecutors, law enforcement, or correctional officers
27 who prosecuted, arrested, or had custodial responsibility for
28 the employee, agent, or independent contractor.
29 (ii) The sheriff or chief of police in the community where
30 the employee, agent, or independent contractor resides.
31 (iii) Any other person in contact with the convicted
32 employee, agent, or independent contractor.
33 (2) A sexually violent offense as defined in section 229A.2.
34 (3) The offense of murder in the first degree under section
35 707.2.

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1 (4) The offense of murder in the second degree under section
2 707.3.

3 (5) The offense of kidnapping in the first degree under
4 section 710.2.

5 (6) The offense of robbery in the first degree under section
6 711.2.

7 (7) An offense committed on certain real property for which
8 an enhanced penalty was received under section 124.401A or
9 124.401B.

10 (8) A felony offense where the employee, agent, or
11 independent contractor used or exhibited a dangerous weapon as
12 defined in section 702.7 during the commission of or during
13 immediate flight from the scene of the felony offense, or
14 where the employee, agent, or independent contractor used or
15 exhibited the dangerous weapon or was a party to the felony
16 offense and knew that a dangerous weapon would be used or
17 exhibited.

18 2. The protections provided to a private employer, general
19 contractor, or premises owner under this chapter do not apply
20 in a suit concerning the misuse of funds or property of a
21 person other than the employer, general contractor, or premises
22 owner, by an employee, agent, or independent contractor if, on
23 the date the employee, agent, or independent contractor was
24 hired, the employee, agent, or independent contractor had been
25 convicted of a public offense that included fraud or the misuse
26 of funds or property as an element of the public offense, and
27 it was foreseeable that the position for which the employee,
28 agent, or independent contractor was hired would involve
29 discharging a fiduciary responsibility in the management of
30 funds or property.>

31 2. Title page, by striking lines 1 and 2 and inserting <An
32 Act relating to the liability of private employers, general
33 contractors, and premises owners for negligently hiring
34 or failing to supervise employees, agents, or independent
35 contractors convicted of a public offense.>

SENATE AMENDMENT

H-8384

1 Amend House File 2131 as follows:

2 1. Page 1, by striking lines 4 and 5 and inserting <rented
3 by the same person for a period of more than thirty-one
4 consecutive days, except for lodging located in a hotel, motel,
5 or inn.>

MOMMSEN of Clinton

H-8385

- 1 Amend House File 2487 as follows:
2 1. Page 1, by striking lines 32 and 33 and inserting
3 <forfeiture imposed upon a conviction for committing>
4 2. Title page, line 3, by striking <honey bees,> and
5 inserting <honeybees>

KLEIN of Washington

H-8386

- 1 Amend House File 2466, as passed by the House, as follows:
2 1. Page 1, line 24, by striking <may include but are not>
3 and inserting <are>
4 2. Page 1, line 27, by striking <and> and inserting <and,
5 as determined by written agreement between the landowner or
6 occupant and the commission.>
7 3. Page 2, after line 24 by inserting:
8 <f. In administering paragraph "b", all of the following
9 shall apply:
10 (1) An employee or agent of the department shall not enter
11 private property without the consent of the owner or occupant.
12 (2) Absent a written agreement between the landowner or
13 occupant and the commission, the commission shall not limit the
14 unnatural congregation of wild animals on the landowner's or
15 occupant's property.>

SENATE AMENDMENT

H-8387

- 1 Amend Senate File 2326, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, line 7, by striking <department.> and inserting
4 <department, subject to the limitations specified in
5 subsections 2 and 3. The number of employees designated as
6 peace officers pursuant to this section shall not exceed one
7 hundred at any one time.>
8 2. Page 1, line 12, by striking <violators.> and inserting
9 <violators, subject to the limitations specified in subsections
10 2 and 3.>
11 3. Page 1, line 35, after <violations> by inserting <subject
12 to the limitations specified in subsection 3>
13 4. Page 2, line 5, after <drugs> by inserting <subject to
14 the limitations specified in subsection 3>
15 5. Page 2, after line 5 by inserting:
16 <3. Employees designated as peace officers pursuant to this
17 section shall not act as a primary or lead investigator in the
18 investigation of any offense if the offense involves a person
19 causing the death of another person or if the offense involves
20 a controlled substance, as defined in section 124.101.>

21 6. Page 2, by striking line 6 and inserting:
 22 <4. The limitations specified in ~~subsection~~ subsections 2
 23 and 3 shall in>
 24 7. Page 2, line 10, by striking <5. 4> and inserting <5.>
 25 8. Page 3, line 8, by striking <employees> and inserting
 26 <employees, a list detailing the number of citations issued by
 27 such employees for violations of each Code section under which
 28 at least one citation was issued.>
 29 9. Page 3, line 11, by striking <section> and inserting
 30 <subsection>
 31 10. Page 3, line 13, by striking <section> and inserting
 32 <subsection>
 33 11. Page 3, line 21, by striking <6. 5> and inserting <6.>
 34 12. By renumbering, redesignating, and correcting internal
 35 references as necessary.

KOESTER of Polk

H-8388

1 Amend Senate File 2365, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 4, after line 30 by inserting:
 4 <5. Dog vests, identification cards, documents, or
 5 certificates which identify a dog as a service animal convey
 6 no rights under this section or under the federal Americans
 7 with Disabilities Act of 1990, 42 U.S.C. §12101 et seq., as
 8 evidenced by the United States department of justice's informal
 9 advisory stating that the department of justice does not
 10 recognize such items as proof that a dog is a service animal.
 11 Sec. ___. Section 717B.1, Code 2018, is amended by adding
 12 the following new subsections:
 13 NEW SUBSECTION. 2A. "Animal mistreatment" means an act
 14 described as animal abuse as provided in section 717B.2,
 15 animal neglect as provided in section 717B.3, animal torture
 16 as provided in section 717B.3A, abandonment of a cat or dog as
 17 provided in section 717B.8, or injury to or interference with a
 18 police service dog as provided in section 717B.9.
 19 NEW SUBSECTION. 3A.a. "Convicted" means the entry of
 20 a judgment of conviction under chapter 901 or adjudicated
 21 delinquent for an act which is an indictable offense in this
 22 state or in another state under chapter 232.
 23 b. "Convicted" does not mean a plea, sentence, adjudication,
 24 deferred sentence, or deferred judgment which has been reversed
 25 or otherwise set aside.
 26 NEW SUBSECTION. 3B. "Department" means the department of
 27 agriculture and land stewardship.
 28 NEW SUBSECTION. 4A. "Euthanasia" means the same as defined
 29 in section 162.2.
 30 NEW SUBSECTION. 4B. "Injury" means an animal's
 31 disfigurement; the impairment of an animal's health; or an

32 impairment to the functioning of an animal's limb or organ,
 33 including physical damage or harm to an animal's muscle,
 34 tissue, organs, bones, hide, or skin.
 35 NEW SUBSECTION. 8A. "*Serious injury*" means an injury that

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1 constitutes an animal's protracted or permanent disfigurement,
 2 the protracted or permanent impairment of an animal's health,
 3 the protracted or permanent impairment of the functioning of
 4 an animal's limb or organ, or the loss of an animal's limb or
 5 organ.
 6 Sec. _____. Section 717B.2, Code 2018, is amended to read as
 7 follows:
 8 **717B.2 Animal abuse — penalties.**
 9 1. A person is guilty of animal abuse if the person
 10 intentionally injures, maims, disfigures, or destroys an animal
 11 owned by another person, in any manner, including intentionally
 12 poisoning the animal commits animal abuse when the person
 13 knowingly or recklessly causes injury, serious injury, or death
 14 to an animal by force, violence, or poisoning. A person guilty
 15 of animal abuse is guilty of an aggravated misdemeanor.
 16 2. This section shall not apply to conduct engaged in by any
 17 of the following:
 18 1. A person acting with the consent of the person owning
 19 the animal, unless the action constitutes animal neglect as
 20 provided in section 717B.3.
 21 a. An owner of the animal, or a person acting with the
 22 consent of the owner, who euthanizes an animal in a reasonable
 23 manner, if at the time of the euthanasia, the animal is in a
 24 state of permanent pain or suffering.
 25 b. An owner of the animal, or a person acting with the
 26 consent of the owner, who euthanizes a rabbit in a reasonable
 27 manner for purposes of preparing the rabbit for human
 28 consumption.
 29 c. A commercial breeder as defined in section 162.2 who
 30 tail docks a dog or removes the dewclaw of a dog, if all of the
 31 following apply:
 32 (1) The commercial breeder has been issued a valid
 33 authorization by the department under chapter 162.
 34 (2) The dog is five days or younger in age.
 35 2. d. A person acting to carry out an order issued by a

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1 court.
 2 3. e. A licensed veterinarian practicing veterinary
 3 medicine as provided in chapter 169.
 4 4. f. A person acting in order to carry out another
 5 provision of law which allows the conduct.
 6 5. g. A person taking, hunting, trapping, or fishing for a
 7 wild animal as provided in chapter 481A.

- 8 6. h. A person acting to protect the person's property from
 9 a wild animal as defined in section 481A.1.
- 10 7. i. A person acting to protect a person from injury or
 11 death caused by a wild animal as defined in section 481A.1.
- 12 8. j. A person reasonably acting to protect the person's
 13 property from damage caused by an unconfined animal.
- 14 9. k. A person reasonably acting to protect a person from
 15 injury or death caused by an unconfined animal.
- 16 10. l. A local authority reasonably acting to destroy an
 17 animal, if at the time of the destruction, the owner of the
 18 animal is absent or unable to care for the animal, and the
 19 animal is permanently distressed by disease or injury to a
 20 degree that would result in severe and prolonged suffering.
- 21 11. m. A research facility, as defined in section 162.2,
 22 ~~provided that if the research facility has been issued a valid~~
 23 ~~authorization by the department pursuant to chapter 162, and~~
 24 the research facility performs functions within the scope of
 25 accepted practices and disciplines associated with the research
 26 facility.
- 27 3. A person who commits animal abuse that causes injury to
 28 an animal is guilty of a serious misdemeanor.
- 29 4. A person who commits animal abuse that causes serious
 30 injury or death to an animal is guilty of an aggravated
 31 misdemeanor.
- 32 5. Notwithstanding subsection 4, a person who commits
 33 animal abuse that causes serious injury or death to an animal
 34 is guilty of a class "D" felony if the person has previously
 35 been convicted of committing animal abuse pursuant to this

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- 1 section, animal neglect punishable as a serious misdemeanor
 2 or aggravated misdemeanor pursuant to section 717B.3, animal
 3 torture pursuant to section 717B.3A, injury to or interference
 4 with a police service dog pursuant to section 717B.9,
 5 bestiality pursuant to section 717C.1, or an act involving a
 6 contest event prohibited in section 717D.2.
- 7 Sec. ____ Section 717B.3, Code 2018, is amended to read as
 8 follows:
- 9 **717B.3 Animal neglect — penalties.**
- 10 1. A person ~~who impounds or commits animal neglect when~~
 11 the person owns or has custody of an animal, confines, in any
 12 place, an that animal, is guilty of animal neglect if the
 13 person does any of the following:
- 14 a. Fails and knowingly or recklessly fails to supply the
 15 animal during confinement with a sufficient quantity of food or
 16 water, provide the animal with any of the following:
- 17 a. Access to food in an amount and quality reasonably
 18 sufficient to satisfy the animal's basic nutrition level to the
 19 extent that the animal's health or life is endangered.
- 20 b. Fails to provide a confined dog or cat with adequate
 21 shelter. Access to a supply of potable water in an amount

22 reasonably sufficient to satisfy the animal's basic hydration
23 level to the extent that the animal's health or life is
24 endangered. Access to snow or ice does not satisfy this
25 requirement.
26 c. Tortures, deprives of necessary sustenance, mutilates,
27 beats, or kills an animal by any means which causes unjustified
28 pain, distress, or suffering. Sanitary conditions free from
29 excessive animal waste or the overcrowding of animals to the
30 extent that the animal's health or life is endangered.
31 d. Ventilated shelter reasonably sufficient to provide
32 adequate protection from the elements and weather conditions
33 suitable for the age, species, and physical condition of the
34 animal so as to maintain the animal in a state of good health
35 to the extent that the animal's health or life is endangered.

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1 The shelter must protect the animal from wind, rain, snow, or
2 sun and have adequate bedding to provide reasonable protection
3 against cold and dampness. A shelter may include a residence,
4 garage, barn, shed, or doghouse.
5 e. Grooming, to the extent it is reasonably necessary to
6 prevent adverse health effects or suffering.
7 f.(1) Veterinary care deemed reasonably necessary to
8 relieve an animal's distress from any of the following:
9 (a) A condition caused by failing to provide for the
10 animal's welfare as described in paragraphs "a" through "e"
11 (b) An injury or serious illness suffered by the animal
12 causing the animal to suffer prolonged pain and suffering.
13 (2) This paragraph "f" does not apply to any of the
14 following:
15 (a) An animal for which the cost of such veterinary care is
16 not reasonably affordable by the animal's owner, so long as the
17 animal's owner makes appropriate and reasonable arrangements
18 to transfer ownership and possession of the animal to a person
19 who agrees to provide such care.
20 (b) The animal's owner provides for the euthanasia of the
21 animal, and all of the following apply:
22 (i) The animal suffers from an illness or injury.
23 (ii) There is no reasonable probability that reasonable
24 veterinary care could alleviate the animal's illness or injury.
25 2. This section does not apply to conduct engaged in by a
26 research facility, as defined in section 162.2, provided that
27 if the research facility performs functions within the scope of
28 accepted practices and disciplines associated with the research
29 facility.
30 3. A person who negligently or intentionally commits the
31 offense of animal neglect is guilty of a simple misdemeanor. A
32 person who intentionally commits the offense of animal neglect
33 which results in serious injury to or the death of an animal is
34 guilty of a serious misdemeanor.
35 4. A person who commits animal neglect that causes injury to

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1 an animal is guilty of a serious misdemeanor.
 2 5. A person who commits animal neglect that causes serious
 3 injury or death to an animal is guilty of an aggravated
 4 misdemeanor.
 5 6. Notwithstanding subsection 5, a person who commits
 6 animal neglect that causes serious injury or death to an
 7 animal is guilty of a class “D” felony if the person has been
 8 previously convicted of animal abuse pursuant to section
 9 717B.2, animal neglect punishable as a serious misdemeanor or
 10 aggravated misdemeanor pursuant to this section, animal torture
 11 pursuant to section 717B.3A, injury to or interference with
 12 a police service dog pursuant to section 717B.9, bestiality
 13 pursuant to section 717C.1, or an act involving a contest event
 14 prohibited in section 717D.2.
 15 Sec. _____. Section 717B.3A, Code 2018, is amended to read as
 16 follows:
 17 **717B.3A Animal torture — penalties.**
 18 1. A person is guilty of animal torture, ~~regardless of~~
 19 ~~whether the person is the owner of the animal, if when~~ the
 20 person ~~inflicts knowingly acts to inflict~~ upon the ~~an~~ animal
 21 severe and ~~prolonged or repeated~~ physical pain with a ~~depraved~~
 22 ~~or sadistic intent to cause, if such act causes all of the~~
 23 ~~following:~~
 24 a. The animal’s prolonged or repeated suffering.
 25 b. The animal’s serious injury or death.
 26 2. This section shall not apply to conduct engaged in by any
 27 of the following:
 28 a. A person acting to carry out an order issued by a court.
 29 b. A licensed veterinarian practicing veterinary medicine as
 30 provided in chapter 169.
 31 ~~c. A person carrying out a practice that is consistent with~~
 32 ~~animal husbandry practices.~~
 33 ~~d. c. A person acting in order to carry out another~~
 34 ~~provision of law which allows the conduct.~~
 35 ~~e. d. A person taking, hunting, trapping, or fishing for a~~

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1 wild animal as provided in chapter 481A.
 2 ~~f. e.~~ A person acting to protect the person’s property from
 3 a wild animal as defined in section 481A.1.
 4 ~~g. f.~~ A person acting to protect a person from ~~injury~~
 5 bodily harm or death caused by a wild animal as defined in
 6 section 481A.1.
 7 ~~h. g.~~ A person ~~reasonably~~ acting reasonably to protect the
 8 person’s property from damage caused by an unconfined animal.
 9 ~~i. h.~~ A person ~~reasonably~~ acting reasonably to protect a
 10 person from ~~injury~~ bodily harm or death caused by an unconfined
 11 animal.

12 ~~j. i.~~ A local authority acting reasonably ~~acting~~ to
 13 ~~destroy~~ euthanize an animal, if at the time of the ~~destruction~~
 14 euthanasia, the owner of the animal is absent or unable to care
 15 for the animal, and the animal is permanently distressed by
 16 disease or injury to a degree that would result in severe and
 17 prolonged suffering.

18 ~~k. i.~~ A research facility, as defined in section 162.2,
 19 ~~provided that if the research facility has been issued a valid~~
 20 authorization by the department pursuant to chapter 162, and
 21 the research facility performs functions within the scope of
 22 accepted practices and disciplines associated with the research
 23 facility.

24 ~~3. a. The following shall apply to a person who commits~~
 25 ~~animal torture:~~

26 (1) ~~For the first conviction, the person is guilty of an~~
 27 ~~aggravated misdemeanor. The sentencing order shall provide~~
 28 ~~that the person submit to psychological evaluation and~~
 29 ~~treatment according to terms required by the court. The costs~~
 30 ~~of the evaluation and treatment shall be paid by the person.~~
 31 ~~In addition, the sentencing order shall provide that the person~~
 32 ~~complete a community work requirement, which may include a work~~
 33 ~~requirement performed at an animal shelter or pound, as defined~~
 34 ~~in section 162.2, according to terms required by the court.~~

35 (2) ~~For a second or subsequent conviction, the person is~~

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1 ~~guilty of a class "D" felony. The sentencing order shall~~
 2 ~~provide that the person submit to psychological evaluation and~~
 3 ~~treatment according to terms required by the court. The costs~~
 4 ~~of the psychological evaluation and treatment shall be paid by~~
 5 ~~the person.~~

6 ~~b.~~ The juvenile court shall have exclusive original
 7 jurisdiction in a proceeding concerning a child who is alleged
 8 to have committed animal torture, in the manner provided in
 9 section 232.8. The juvenile court shall not waive jurisdiction
 10 in a proceeding concerning such an offense alleged to have been
 11 committed by a child under the age of seventeen.

12 ~~4. A person who commits animal torture is guilty of a class~~
 13 ~~"D" felony.~~

14 ~~5. Notwithstanding subsection 4, a person who commits~~
 15 ~~animal torture is guilty of a class "C" felony if the person~~
 16 ~~has previously been convicted of committing animal abuse~~
 17 ~~pursuant to section 717B.2, animal neglect punishable as a~~
 18 ~~serious misdemeanor or aggravated misdemeanor pursuant to~~
 19 ~~section 717B.3, animal torture pursuant to this section, injury~~
 20 ~~to or interference with a police service dog pursuant to~~
 21 ~~section 717B.9, bestiality pursuant to section 717C.1, or an~~
 22 ~~act involving a contest event prohibited in section 717D.2.~~

23 ~~Sec. __.NEW SECTION. 717B.3B Animal mistreatment — court~~
 24 ~~order — evaluation and treatment.~~

25 1. At the time of a person's conviction for a form of

26 animal mistreatment, a court may enter an order requiring the
 27 person to undergo a psychological or psychiatric evaluation
 28 and to undergo any treatment that the court determines to be
 29 appropriate after due consideration of the evaluation.

30 2. Notwithstanding subsection 1, the court shall enter an
 31 order described in that subsection, if the convicted person is
 32 any of the following:

33 *a.* A juvenile.

34 *b.* An adult convicted of animal abuse punishable as an
 35 aggravated misdemeanor or class “D” felony pursuant to section

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1 717B.2, animal neglect punishable as an aggravated misdemeanor
 2 or class “D” felony pursuant to section 717B.3, or animal
 3 torture punishable as a class “D” felony or class “C” felony
 4 pursuant to section 717B.3A.

5 3. The costs of undergoing a psychological or psychiatric
 6 evaluation and undergoing any treatment ordered by the court
 7 shall be borne by the convicted person, unless the person is
 8 a juvenile.

9 4. An order made under this section is in addition to any
 10 other order or sentence of the court.

11 5. Any violation of the court order shall be punished as
 12 contempt of court pursuant to chapter 665.

13 Sec. .NEW SECTION. **717B.3C Animal mistreatment —**
 14 **sentencing order — prohibitions.**

15 1. At the time of a person’s sentencing for a form of animal
 16 mistreatment, a court may prohibit the person from owning or
 17 obtaining custody of an animal or residing in the same dwelling
 18 where an animal is kept. The period of the prohibition shall
 19 be not less than one year.

20 2. Notwithstanding subsection 1, the court shall enter an
 21 order described in that subsection, if the convicted person has
 22 committed animal abuse punishable as an aggravated misdemeanor
 23 or class “D” felony pursuant to section 717B.2, animal neglect
 24 punishable as an aggravated misdemeanor or class “D” felony
 25 pursuant to section 717B.3, or animal torture punishable as
 26 a class “D” felony or class “C” felony pursuant to section
 27 717B.3A. The period of such prohibition shall be not less than
 28 five years.

29 3. The duration of a prohibition described in this
 30 section commences on the date that the person is placed on
 31 probation, released on parole or work release, or released from
 32 incarceration or from placement in a juvenile facility.

33 4. An order made pursuant to this section is in addition to
 34 any other order or sentence of the court.

35 5. Any violation of the court order described in this

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1 section is a public offense and shall be punished as a simple

2 misdemeanor.

3 Sec. ____ Section 717B.8, Code 2018, is amended to read as
4 follows:

5 **717B.8 Abandonment of cats and dogs — penalties.**

6 1. A person who has ownership or custody of a cat or dog
7 shall not abandon the cat or dog, ~~except the person may deliver~~
8 the.

9 2. This section does not apply to any of the following:

10 a. The delivery of a cat or dog to another person who will
11 accept ownership and custody ~~or the person may deliver~~ of the
12 cat or dog.

13 b. The delivery of a cat or dog to an animal shelter or
14 pound as defined in section 162.2 ~~that has been issued a valid~~
15 authorization by the department under chapter 162.

16 c. A person who relinquishes custody of a cat at a location
17 in which the person does not hold a legal or equitable
18 interest, if previously the person had taken custody of the cat
19 at the same location and provided for the cat's sterilization
20 by a licensed veterinarian practicing veterinary medicine
21 pursuant to chapter 169.

22 3. A person who violates this section is guilty of a simple
23 misdemeanor.

24 Sec. ____ IMPLEMENTATION OF ACT. Section 25B.2, subsection
25 3, shall not apply to this Act.>

26 2. Title page, by striking lines 1 through 3 and inserting
27 <An Act relating to the protection of and assistance provided
28 by animals and the misrepresentation of an animal as a service
29 animal or a service-animal-in-training and providing for>

PAUSTIAN of Scott

H-8389

1 Amend House File 2483 as follows:

2 1. Page 3, after line 29 by inserting:

3 <d. A managed care organization shall provide written
4 notice to all affected individuals at least sixty days prior
5 to a significant change in administrative procedures relating
6 to the scope or coverage of benefits, billings and collections
7 provisions, provider network provisions, member or provider
8 services, prior authorization requirements, or any other terms
9 of a managed care contract or agreement as determined by the
10 department of human services. A managed care organization may
11 comply with the requirement of providing written notice under
12 this paragraph by posting such written notice on the managed
13 care organization's internet site.

14 e. The department of human services shall engage dedicated
15 provider relations staff to assist Medicaid providers in
16 resolving billing conflicts with managed care organizations
17 including those involving denied claims, technical omissions,
18 or incomplete information. If the provider relations staff
19 observe trends evidencing fraudulent claims or improper

20 reimbursement, the staff shall forward such evidence to the
 21 department of human services for further review.
 22 f. The department of human services shall adopt rules
 23 pursuant to chapter 17A to require the inclusion by a managed
 24 care organization of advanced registered nurse practitioners
 25 and physician assistants as primary care providers for the
 26 purposes of population health management.>

HEATON of Henry

H-8390

1 Amend the amendment, H-8325, to Senate File 2353, as passed
 2 by the Senate, as follows:
 3 1. By striking page 1, line 6, through page 2, line 24.

KLEIN of Washington

H-8391

1 Amend House File 2483 as follows:
 2 1. Page 1, by striking lines 1 through 11.
 3 2. By renumbering, redesignating, and correcting internal
 4 references as necessary.

HEATON of Henry

H-8392

1 Amend the Senate amendment, H-8386, to House File 2466, as
 2 passed by the House, as follows:
 3 1. Page 1, by striking lines 8 through 15 and inserting:
 4 <f. In administering paragraph "b", an employee or agent
 5 of the department shall not enter private property without the
 6 consent of the owner or occupant.>

BAXTER of Hancock

H-8393

1 Amend House File 2491 as follows:
 2 1. Page 25, after line 5 by inserting:
 3 <Sec. NEW SECTION. 481A.11A Deer-motor vehicle
 4 collision indemnity fund — appropriation.
 5 1. As used in this section:
 6 a. *"Deer-motor vehicle collision"* means an accident that
 7 occurs on a roadway when a deer suddenly enters the path of a
 8 motor vehicle and the motor vehicle strikes the deer.
 9 b. *"Roadway"* means as defined in section 321.1.
 10 2. A deer-motor vehicle collision indemnity fund is created
 11 in the state treasury to be administered by the department
 12 of natural resources. The indemnity fund shall consist of
 13 moneys appropriated to the fund from the state fish and game

14 protection fund pursuant to subsection 5. The moneys in the
 15 fund shall be used to compensate a person for loss in the value
 16 of the person's property due to property damage caused by a
 17 deer-motor vehicle collision.

18 3. Upon application and investigation, the department
 19 shall compensate a person involved in a deer-motor vehicle
 20 collision for property damage caused by the collision in an
 21 amount not to exceed one thousand dollars per collision. If a
 22 person involved in a deer-motor vehicle collision is covered
 23 by a motor vehicle policy providing collision coverage,
 24 the department shall compensate the person for the loss in
 25 the value of the person's property only to the extent that
 26 the person is not compensated through the policy due to the
 27 deductible or limit of coverage provisions of the policy.

28 4. The natural resource commission shall adopt rules
 29 pursuant to chapter 17A to establish application procedures and
 30 eligibility requirements, and to provide for the assessment of
 31 property damage caused by a deer-motor vehicle collision.

32 5. For the fiscal year commencing July 1, 2018, and each
 33 succeeding fiscal year, there is appropriated from the state
 34 fish and game protection fund to the deer-motor vehicle
 35 collision indemnity fund an amount necessary to pay the state

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1 liability for property claims made by persons pursuant to this
 2 section due to deer-motor vehicle collisions.

3 6. This section shall not be construed to require the
 4 compensation of any person for bodily injury resulting from
 5 a deer-motor vehicle collision or to impose liability on the
 6 state for bodily injury resulting from a deer-motor vehicle
 7 collision.>

8 2. By renumbering as necessary.

HEARTSILL of Marion

H-8394

1 Amend House File 2491 as follows:

2 1. Page 23, after line 30 by inserting:

3 <Sec. NEW SECTION. **191A.1 Definitions.**

4 As used in this chapter, unless the context otherwise
 5 requires:

6 1. "*Consumer food product*" means any item capable of use as
 7 human food that is produced using an agricultural animal or
 8 crop as defined in section 717A.1.

9 2. "*Department*" means the department of agriculture and land
 10 stewardship.

11 3. "*Grocery store*" means a food establishment as defined
 12 in section 137F.1 licensed by the department of inspections
 13 and appeals pursuant to section 137F.4, to sell consumer food
 14 products to customers, if such food products are intended for

15 preparation or consumption off premises.

16 Sec. .**NEW SECTION. 191A.2 Water resource policy.**

17 The state declares it is the policy of this state to further
18 all efforts to provide a long-term sustainable water resource
19 strategy necessary to promote agriculture.

20 Sec. .**NEW SECTION. 191A.3 Water resource label.**

21 1. The department shall adopt rules to establish a water
22 usage information label to be affixed to a consumer food
23 product or the package containing a consumer food product sold
24 by a grocery store in this state. The label must be affixed to
25 the consumer food product or package in the form of an adhesive
26 or hanging tag. A label may be printed on the principal
27 display panel of the package as provided in 21 C.F.R. pt. 101.
28 The information panel shall be presented in a printed format
29 in a manner that is easy for a consumer to quickly read its
30 contents. The information panel shall indicate the average
31 number of gallons of water required to produce the commodity
32 used to produce the consumer food product. The label shall
33 not be removed from the consumer food product or its packaging
34 prior to its purchase by a consumer.

35 2.a. The department shall not adopt rules as provided in

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1 this section until it obtains any necessary waiver from the
2 United States food and drug administration or until necessary
3 legislation authorizing the rules is enacted by the United
4 States Congress.

5 b. If the department determines that it requires state
6 legislation prior to adopting any rules under this section, the
7 department shall prepare and submit such legislation prior to
8 the convening of the first session of the eighty-eighth general
9 assembly.

10 3. This section shall not apply to a packaged food
11 product that includes a combination of commingled or blended
12 commodities, if the department determines that the label would
13 be impracticable to prepare or for consumers to readily read
14 or understand.

15 Sec. .**NEW SECTION. 191A.4 Penalty.**

16 1. A person who violates this chapter is subject to a
17 civil penalty of at least one hundred dollars but not more
18 than one thousand dollars for each violation. Each day that a
19 violation continues shall constitute a new offense. However, a
20 person shall not be subject to a civil penalty of more than ten
21 thousand dollars for a continuing violation.

22 2. The department shall impose and collect the civil
23 penalty. The civil penalty collected by the department shall
24 be deposited in the general fund of the state.

25 Sec. .**NEW SECTION. 191A.5 Injunction.**

26 The department may restrain a person violating this chapter
27 or a rule adopted by the department under this chapter by
28 petitioning the district court where the violation occurs

29 for injunctive relief. Each day that a violation continues
 30 constitutes a separate violation.
 31 Sec. ___.REPORT. The department of agriculture and land
 32 stewardship shall submit a report to the general assembly
 33 not later than January 1, 2019, detailing its progress in
 34 implementing sections 191A.1 through 191A.5 as enacted in this
 35 division of this Act.>

PAGE 3

- 1 2. Title page, line 4, after <protection> by inserting <,
 2 and including penalties>
- 3 3. By renumbering as necessary.

BENNETT of Linn

H-8395

- 1 Amend House File 2493 as follows:
- 2 1. Page 12, line 8, after <department> by inserting <,
 3 except no such revenue shall be used for consultants or
 4 marketing for Future Ready Iowa>

RUNNING-MARQUARDT of Linn

H-8396

- 1 Amend House File 2493 as follows:
- 2 1. Page 10, after line 17 by inserting:
 3 <0b. As a condition of receiving the appropriation
 4 provided in paragraph “a”, the department shall not close a
 5 field or satellite office without prior authorization by a
 6 constitutional majority of each house of the general assembly
 7 through legislative action.>
- 8 2. Page 18, after line 4 by inserting:
 9 <DIVISION __
- 10 LOCATION OF WORKFORCE DEVELOPMENT CENTERS
- 11 Sec. __. Section 84B.3, Code 2018, is amended to read as
 12 follows:
- 13 **84B.3 Workforce development centers — location.**
- 14 A workforce development center, as provided in section
 15 84B.2, shall be located in each service delivery area. Each
 16 workforce development center shall also maintain a presence,
 17 through satellite offices or electronic means, in each county
 18 located within that service delivery area. For purposes of
 19 this section, “*service delivery area*” means the area included
 20 within a merged area, as defined in section 260C.2, realigned
 21 to the closest county border as determined by the department
 22 of workforce development. However, if the state workforce
 23 development board determines that an area of the state would be
 24 adversely affected by the designation of the service delivery
 25 areas by the department, the department may, after consultation

26 with the applicable local workforce development boards and
 27 with the approval of the state workforce development board,
 28 make accommodations in determining the service delivery areas,
 29 including but not limited to the creation of a new service
 30 delivery area. In no event shall the department create more
 31 than sixteen service delivery areas. In no event shall the
 32 department maintain less than the current number of service
 33 delivery areas without prior authorization by a constitutional
 34 majority of each house of the general assembly through
 35 legislative action.>

PAGE 2

1 3. By renumbering as necessary.

RUNNING-MARQUARDT of Linn

H-8397

1 Amend Senate File 2316, as passed by the Senate, as follows:

2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 513B.2, subsections 10 and 18, Code
 4 2018, are amended to read as follows:
 5 10. "*Eligible employee*" means an employee who works on a
 6 full-time basis and has a normal workweek of thirty or more
 7 hours. The term includes a sole proprietor, a partner of
 8 a partnership, and an independent contractor, if the sole
 9 proprietor, partner, or independent contractor is included
 10 as an employee under health insurance coverage of a small
 11 employer, but does not include an employee who works on a
 12 part-time, temporary, or substitute basis. An internal revenue
 13 service form W-2 wage and tax statement shall not be required
 14 to qualify as an eligible employee under this subsection.

15 18. "*Small employer*" means a person, other than a sole
 16 proprietor, a partner of a partnership, or an independent
 17 contractor, actively engaged in business who, on at least fifty
 18 percent of the employer's working days during the preceding
 19 year, employed at least one and not more than fifty full-time
 20 equivalent eligible employees. A sole proprietor, a partner
 21 of a partnership, or an independent contractor shall not be
 22 required to employ an eligible employee to qualify as a small
 23 employer under this subsection. In determining the number of
 24 eligible employees, companies which are affiliated companies or
 25 which are eligible to file a combined tax return for purposes
 26 of state taxation are considered one employer.>

27 2. Title page, by striking lines 1 and 2 and inserting <An
 28 Act relating to transactions by domestic stock insurers and
 29 small employer group health insurers.>

30 3. By renumbering as necessary.

PETTENGILL of Benton

H-8398

1 Amend House File 2494 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I
4 FY 2018-2019 APPROPRIATIONS>

5 2. Page 6, after line 14 by inserting:

6 <DIVISION II
7 DEPARTMENT OF TRANSPORTATION EMPLOYEES DESIGNATED AS PEACE
8 OFFICERS

9 Sec. ____ 2017 Iowa Acts, chapter 149, section 4, is amended
10 to read as follows:

11 SEC. 4.REPEAL. The section of this Act amending section
12 321.477 is repealed July 1, ~~2018~~ 2019.

13 Sec. ____EFFECTIVE DATE. This division of this Act, being
14 deemed of immediate importance, takes effect upon enactment.>

15 3. Title page, line 4, by striking <road fund> and inserting
16 <road fund, providing for other properly related matters, and
17 including effective date provisions>

18 4. By renumbering as necessary.

CARLSON of Muscatine

H-8399

1 Amend House File 2491 as follows:

2 1. Page 1, line 18, by striking <18,068,339> and inserting
3 <18,023,339>

4 2. Page 3, after line 1 by inserting: <Sec. ____
5 2017 Iowa Acts, chapter 168, is amended by adding
6 the following new section:

7 NEW SECTION. 38A. MONEYS CREDITED TO THE WATERSHED
8 IMPROVEMENT FUND — FARM MANAGEMENT DEMONSTRATION
9 PROGRAM. Notwithstanding 2017 Iowa Acts, chapter 168, section

10 22, as amended by 2017 Iowa Acts, chapter 170, section 42,
11 of the moneys credited to the watershed improvement fund
12 that are unencumbered or unobligated and managed by and
13 otherwise appropriated to the department of agriculture and
14 land stewardship pursuant to those sections, the department
15 shall expend the following amount, or so much thereof as is
16 necessary, for the fiscal year beginning July 1, 2018, and
17 ending June 30, 2019, for the purpose designated:

18 1. For the continuation of a statewide voluntary
19 farm management demonstration program to demonstrate the
20 effectiveness and adaptability of emerging practices in
21 agronomy that protect water resources and provide other
22 environmental benefits:

23 \$ 100,000

24 2. The amount required to be expended by the department of
25 agriculture and land stewardship pursuant to subsection 1 shall
26 be allocated by the department to an organization representing
27 soybean growers to provide for an agriculture and environment

- 28 performance program in the same manner as enacted in 2017 Iowa
 29 Acts, chapter 168, section 17, subsection 3.>
 30 3. Page 9, line 1, by striking <11,584,987> and inserting
 31 <11,554,987>
 32 4. Page 23, line 33, before <receive> by inserting <shall>
 33 5. By renumbering as necessary.

MOMMSEN of Clinton

H-8400

- 1 Amend House File 2491 as follows:
 2 1. Page 25, after line 5 by inserting:
 3 <Sec. ____ Section 483A.33, subsection 5, paragraph a, Code
 4 2018, is amended to read as follows:
 5 a. Upon a finding by the court that the property is
 6 condemnable, the court shall enter an order transferring title
 7 of the property to the state, and placed at the disposal of the
 8 ~~director, who director. The director may retain the property~~
 9 for use by the department or sell the property, depositing the
 10 property. When selecting a bidder to conduct a public auction
 11 to sell the property, the director shall give a preference
 12 to an Iowa-based business in the same manner as the state is
 13 required to purchase products from an Iowa-based business under
 14 section 8A.311. The proceeds of the sale shall be deposited
 15 in the state fish and game protection fund created pursuant to
 16 section 456A.17.>
 17 2. By renumbering as necessary.

HEARTSILL of Marion

H-8401

- 1 Amend House File 2491 as follows:
 2 1. Page 6, after line 26 by inserting:
 3 <c. The moneys appropriated in subsection 1 shall be
 4 allocated in a manner that provides priority funding to a
 5 project described in a plan adopted by a watershed management
 6 authority created pursuant to chapter 466B and administered
 7 by one more members that are soil and water conservation
 8 districts, cities, or counties.>
 9 2. Page 20, after line 30 by inserting:
 10 <c. The moneys appropriated in subsection 1 shall be
 11 allocated in a manner that provides priority funding to a
 12 project described in a plan adopted by a watershed management
 13 authority created pursuant to chapter 466B and administered
 14 by one more members that are soil and water conservation
 15 districts, cities, or counties.>
 16 3. By renumbering as necessary.

ISENHART of Dubuque

H-8402

- 1 Amend House File 2491 as follows:
- 2 1. Page 6, line 29, by striking <demonstration> and
- 3 inserting <~~demonstration~~>
- 4 2. Page 7, line 2, by striking <demonstration> and inserting
- 5 <~~demonstration~~>
- 6 3. Page 7, line 9, by striking <demonstration> and inserting
- 7 <~~demonstration~~>
- 8 4. Page 7, line 16, by striking <demonstration> and
- 9 inserting <~~demonstration~~>
- 10 5. Page 7, line 16, by striking <be used to educate> and
- 11 inserting <~~be used to educate~~ provide for the education of>
- 12 6. Page 17, line 9, by striking <demonstration> and
- 13 inserting <~~demonstration~~ implementation>
- 14 7. Page 17, line 9, after <projects> by inserting
- 15 <to provide for the education of other persons about the
- 16 feasibility and value of establishing similar water quality
- 17 practices and>

ISENHART of Dubuque

H-8403

- 1 Amend House File 2491 as follows:
- 2 1. Page 7, line 24, after <quality> by inserting <data,
- 3 measurements, and>
- 4 2. Page 21, line 28, after <quality> by inserting <data,
- 5 measurements, and>

ISENHART of Dubuque

H-8404

- 1 Amend House File 2491 as follows:
- 2 1. Page 12, after line 29 by inserting:
- 3 <Sec. __. 2017 Iowa Acts, chapter 168, is amended by adding
- 4 the following new section:
- 5 NEW SECTION. SEC. 50A. STATE PARKS MAINTENANCE AND REPAIR.
- 6 1. There is appropriated from the general fund of the state
- 7 to the department of natural resources for the fiscal year
- 8 beginning July 1, 2018, and ending June 30, 2019, the following
- 9 amount, or so much thereof as is necessary, to be used for the
- 10 purposes designated:
- 11 For purposes of supporting the regular maintenance and
- 12 operations of state parks and staff time associated with these
- 13 activities:
- 14 \$ 2,000,000
- 15 2. Notwithstanding section 8.33, moneys appropriated in
- 16 this section that remain unencumbered or unobligated at the
- 17 close of the fiscal year shall not revert but shall remain
- 18 available to be used for the purposes designated until the

- 19 close of the succeeding fiscal year.>
 20 2. Page 23, by striking lines 1 through 18.
 21 3. By renumbering as necessary.

OURTH of Warren

H-8405

- 1 Amend House File 2491 as follows:
 2 1. Page 18, line 17, by striking <For> and inserting <a.
 3 For>
 4 2. Page 18, after line 20 by inserting:
 5 <b. As a condition of receiving the appropriation in this
 6 subsection, the department of natural resources shall establish
 7 a master matrix advisory committee to evaluate the use and
 8 value of the master matrix adopted by the department pursuant
 9 to section 459.305 and the extent to which the process of
 10 evaluating and approving or disapproving the construction of a
 11 confinement feeding operation structure as provided in sections
 12 459.304 and 459.305 may be improved.
 13 (1) The advisory committee shall be composed of the director
 14 of the department of natural resources or a designee of the
 15 director, the secretary of agriculture or a designee of the
 16 secretary, and stakeholders appointed by the director of the
 17 department of natural resources in consultation with the
 18 secretary of agriculture and the Iowa state association of
 19 counties.
 20 (2) The members of the advisory committee, other than a
 21 state employee, shall be reimbursed for actual and necessary
 22 travel and related expenses incurred in the discharge of
 23 official duties. However, a member is not eligible to receive
 24 compensation as provided in section 7E.6.
 25 (3) The advisory committee shall prepare and submit a
 26 report to the governor and general assembly not later than
 27 December 14, 2018. The report shall include the findings
 28 and recommendations of the advisory committee. The advisory
 29 committee shall discontinue its functions on that date.>
 30 3. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8406

- 1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 3, by striking lines 9 through 11 and inserting
 4 <center created in section 15.120 and the center for global and
 5 regional environmental research established by the state board
 6 of regents. This paragraph "e" is repealed July 1, 2022.>
 7 2. Page 4, after line 11 by inserting:
 8 <Sec. ____. Section 476.1B, subsection 1, paragraph k, Code
 9 2018, is amended to read as follows:

10 *k.* Assessment of fees for the support of the Iowa energy
 11 center created in section 15.120 ~~and the center for global and~~
 12 ~~regional environmental research created by the state board of~~
 13 ~~regents.~~ This paragraph “*k*” is repealed July 1, 2022.

14 Sec. ____ Section 476.1C, subsection 1, paragraph b, Code
 15 2018, is amended to read as follows:

16 *b.* Shall be subject to the assessment of fees for the
 17 support of the Iowa energy center created in section 15.120
 18 ~~and the center for global and regional environmental research~~
 19 ~~created by the state board of regents.~~ This paragraph “*b*” is
 20 repealed July 1, 2022.>

21 3. Page 10, before line 8 by inserting:

22 <Sec. ____ Section 476.10A, Code 2018, is amended to read
 23 as follows:

24 **476.10A Funding for Iowa energy center and center for global**
 25 **and regional environmental research.**

26 1.a. The board shall direct all gas and electric utilities
 27 to remit to the treasurer of state one-tenth of one percent of
 28 the total gross operating revenues during the last calendar
 29 year derived from their intrastate public utility operations.
 30 The board shall by rule provide a schedule for remittances.

31 *b.* The amounts collected pursuant to this section shall be
 32 in addition to the amounts permitted to be assessed pursuant
 33 to section 476.10. The board shall allow inclusion of these
 34 amounts in the budgets approved by the board pursuant to
 35 section 476.6, subsection 15, paragraph “*e*”.

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1 ~~c.(1) Eighty-five percent of the~~ The remittances collected
 2 pursuant to this section ~~is~~ are appropriated to the Iowa energy
 3 center created in section 15.120.

4 ~~(2) Fifteen percent of the remittances collected pursuant~~
 5 ~~to this section is appropriated to the center for global and~~
 6 ~~regional environmental research established by the state board~~
 7 ~~of regents.~~

8 2. Notwithstanding section 8.33, any unexpended moneys
 9 remitted to the treasurer of state under this section shall be
 10 retained for the purposes designated. Notwithstanding section
 11 12C.7, subsection 2, interest or earnings on investments or
 12 time deposits of the moneys remitted under this section shall
 13 be retained and used for the purposes designated, pursuant to
 14 section 476.46.

15 3. The Iowa energy center ~~and the center for global and~~
 16 ~~regional environmental research~~ shall ~~each~~ provide a written
 17 annual report to the utilities board that describes ~~each~~ the
 18 center’s activities and the results that ~~each~~ the center has
 19 accomplished. ~~Each~~ The report shall include an explanation of
 20 initiatives and projects of importance to the state of Iowa.

21 4. This section is repealed July 1, 2022.>

22 4. Page 13, line 13, after <utilities,> by inserting
 23 <removing funding provisions applicable to the center for

- 24 global and regional environmental research,>
 25 5. By renumbering as necessary.

WATTS of Dallas

H-8407

- 1 Amend the amendment, H-8399, to House File 2491 as follows:
 2 1. Page 1, line 23, by striking <100,000> and inserting
 3 <375,000>

PRICHARD of Floyd

H-8408

- 1 Amend House File 2493 as follows:
 2 1. Page 18, after line 4 by inserting:
 3 <DIVISION ___
 4 WORKFORCE HOUSING TAX INCENTIVES
 5 Sec. ___. Section 15.352, subsection 10, Code 2018, is
 6 amended to read as follows:
 7 10. "*Small city*" means any city or township located in this
 8 state, except those located wholly within one or more of the
 9 eleven most populous counties in the state, as determined by
 10 the most recent federal decennial census. ~~For the purposes of~~
 11 ~~this part, a small city that is located in more than one county~~
 12 ~~shall be considered to be located in the county having the~~
 13 ~~greatest taxable base within the small city.~~
 14 Sec. ___.EFFECTIVE DATE. This division of this Act, being
 15 deemed of immediate importance, takes effect upon enactment.
 16 Sec. ___.APPLICABILITY. This division of this Act applies
 17 to housing projects registered by the authority under the
 18 workforce housing tax incentives program on or after the
 19 effective date of this division of this Act.>
 20 2. Title page, line 7, after <retroactive> by inserting <and
 21 other>
 22 3. By renumbering as necessary.

McKEAN of Jones

H-8409

- 1 Amend House File 2486 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 423.3, subsection 78, Code 2018, is
 4 amended by adding the following new paragraph:
 5 NEW PARAGRAPH. d. This exemption does not apply to the
 6 sales price from the sale of tangible personal property or
 7 services the profits from which are used by or donated to a
 8 postsecondary institution or an entity under the control of a
 9 postsecondary institution. For purposes of this paragraph,
 10 "*postsecondary institution*" means the same as defined in
 11 subsection 103.>

12 2. Page 1, by striking lines 10 and 11 and inserting <other
13 written course materials, whether in printed or electronic
14 form, and classroom equipment.>

15 3. Page 1, after line 15 by inserting:
16 <(3) "Required for a course of instruction" means integral to
17 completion of a course of instruction and uniquely identified
18 by a postsecondary institution as required for such course.
19 Instructional materials that primarily enhance or assist in the
20 facilitation of learning shall not be considered to be "required
21 for a course of instruction".>

22 4. Title page, line 1, after <Act> by inserting <relating to
23 postsecondary institutions by>

24 5. Title page, line 3, after <state> by inserting <and
25 by excluding postsecondary institutions from the sales tax
26 exemption for sales where the profits are used by or donated
27 to certain nonprofit entities for educational, religious, or
28 charitable purposes>

29 6. By renumbering as necessary.

KAUFMANN of Cedar

H-8410

1 Amend House File 2493 as follows:

2 1. Page 3, line 9, by striking <13,438,379> and inserting
3 <13,413,379>

4 2. Page 5, line 20, by striking <375,000> and inserting
5 <400,000>

6 3. Page 6, after line 14 by inserting:
7 <6A. REGISTERED APPRENTICESHIP PROGRAM
8 There is appropriated from the general fund of the
9 state to the economic development authority for the fiscal
10 year beginning July 1, 2018, and ending June 30, 2019, the
11 following amount to be used for the funding of a registered
12 apprenticeship development program designed to encourage
13 small to midsize businesses to start or grow registered
14 apprenticeships:
15 \$ 1,000,000>

16 4. Page 9, line 33, by striking <3,259,044> and inserting
17 <3,309,044>

18 5. Page 10, line 15, by striking <7,945,650> and inserting
19 <7,925,650>

20 6. Page 10, line 30, by striking <387,158> and inserting
21 <337,158>

22 7. Page 11, after line 7 by inserting:
23 <5A. SUMMER YOUTH INTERN PILOT PROGRAM
24 For the funding of a summer youth intern pilot program that
25 will help young people at risk of not graduating from high
26 school to explore and prepare for high-demand careers through
27 summer work experience, including the development of soft
28 skills:
29 \$ 250,000

30 5B. FUTURE READY IOWA COORDINATOR
 31 For the funding of a future ready Iowa coordinator in the
 32 department:
 33 \$ 150,000>
 34 8. Page 11, line 26, by striking <329,631> and inserting
 35 <379,631>

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1 9. Page 12, line 34, by striking <12,000,000> and inserting
 2 <13,000,000>
 3 10. Page 13, by striking lines 9 through 12.
 4 11. Page 16, line 27, by striking <(1)>
 5 12. Page 16, line 32, by striking <(+) (a)> and inserting
 6 <(1)>
 7 13. Page 16, line 35, by striking <(2) (b)> and inserting
 8 <(2)>
 9 14. Page 17, by striking lines 4 through 12.

BEST of Carroll

H-8411

1 Amend House File 2493 as follows:
 2 1. Page 7, line 23, after <authority> by inserting <and
 3 the department of revenue>
 4 2. Page 7, line 23, by striking <an> and inserting <a
 5 joint>

BEST of Carroll

H-8412

1 Amend House File 2493 as follows:
 2 1. Page 8, after line 16 by inserting:
 3 <1A. As a condition of receiving the appropriation provided
 4 in subsection 1, the authority shall cancel any lease entered
 5 into by the authority to move the authority's operations from
 6 its current location.>

HALL of Woodbury

H-8413

1 Amend House File 2492 as follows:
 2 1. Page 10, by striking lines 10 through 17.

OLSON of Polk

H-8414

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:

- 3 1. Page 3, by striking lines 15 through 24 and inserting:
 4 <g. Filing energy efficiency plans and energy efficiency
 5 results with the board. The energy efficiency plans as a
 6 whole shall be cost-effective. The board may permit these
 7 utilities to file joint plans. The board shall periodically
 8 report the energy efficiency results including energy savings
 9 of each of these utilities to the general assembly. The board
 10 may waive all or part of the energy efficiency filing and
 11 review requirements for electric cooperative corporations and
 12 associations and electric public utilities which demonstrate
 13 superior results with existing energy efficiency efforts.>
- 14 2. Page 4, lines 10 and 11, by striking <paragraph f, Code
 15 2018, is amended by striking the paragraph> and inserting
 16 <paragraphs f and l, Code 2018, are amended by striking the
 17 paragraphs>
- 18 3. Page 5, line 7, after <with> by inserting <and approved
 19 by>
- 20 4. Page 5, line 14, after <with> by inserting <and approved
 21 by>
- 22 5. By striking page 5, line 35, through page 7, line 11, and
 23 inserting:
 24 <Sec. ___. Section 476.6, subsection 15, paragraph a, Code
 25 2018, is amended to read as follows:
 26 a. (1) (a) Gas and electric Electric utilities required
 27 to be rate-regulated under this chapter shall file five-year
 28 energy efficiency plans and demand response plans with the
 29 board. Gas utilities required to be rate-regulated under
 30 this chapter shall file five-year energy efficiency plans
 31 with the board. An energy efficiency plan and budget or a
 32 demand response plan and budget shall include a range of energy
 33 efficiency or demand response programs, tailored to the needs
 34 of all customer classes, including residential, commercial,
 35 and industrial customers, for energy efficiency opportunities.

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- 1 The plans shall include programs for qualified low-income
 2 persons including a cooperative program with any community
 3 action agency within the utility's service area to implement
 4 countywide or communitywide energy efficiency programs for
 5 qualified low-income persons. Rate-regulated gas and electric
 6 utilities shall utilize Iowa agencies and Iowa contractors to
 7 the maximum extent cost-effective in their energy efficiency
 8 plans or demand response plans filed with the board.
 9 (b) The board shall allow a customer of an electric utility
 10 that is required to be rate-regulated to request an exemption
 11 from participation in any five-year energy efficiency plan
 12 offered by an electric utility if the energy efficiency plan
 13 and demand response plan, at the time of approval by the board,
 14 have a cumulative rate-payer impact test result of less than
 15 one. Upon receipt of a request for exemption submitted by
 16 a customer, the electric utility shall grant the exemption

17 and, beginning January 1 of the following year, the customer
 18 shall no longer be assessed the costs of the plan and shall be
 19 prohibited from participating in any program included in such
 20 plan until the exemption no longer applies, as determined by
 21 the board.

22 (2) Gas and electric utilities required to be
 23 rate-regulated under this chapter may request an energy
 24 efficiency plan or demand response plan modification during the
 25 course of a five-year plan. A modification may be requested
 26 due to changes in funding as a result of public utility
 27 customers requesting exemptions from the plan or for any other
 28 reason identified by the gas or electric utility. The board
 29 shall take action on a modification request made by a gas or
 30 electric utility within ninety days after the modification
 31 request is filed. If the board fails to take action within
 32 ninety days after a modification request is filed, the
 33 modification request shall be deemed approved.

34 (3) The board shall adopt rules pursuant to chapter 17A
 35 establishing reasonable processes and procedures for utility

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1 customers from any customer class to request exemptions
 2 from energy efficiency plans that meet the requirements of
 3 subparagraph (1), subparagraph division (b). The rules adopted
 4 by the board shall only apply to electric utilities that are
 5 required to be rate-regulated.>

6 6. By striking page 7, line 14, through page 9, line 34, and
 7 inserting:

8 <Sec. _____. Section 476.6, subsection 15, paragraphs e, f,
 9 and g, Code 2018, are amended to read as follows:

10 e.(1) The board shall conduct contested case proceedings
 11 for review of energy efficiency plans, demand response plans,
 12 and budgets filed by gas and electric utilities required to be
 13 rate-regulated under this chapter.

14 (2) Notwithstanding the goals developed pursuant to
 15 paragraph "b", the board shall not require a gas utility to
 16 adopt an energy efficiency plan that results in projected
 17 cumulative average annual costs that exceed one and one-half
 18 percent of the gas utility's expected annual Iowa retail rate
 19 revenue from retail customers in the state, shall not require
 20 an electric utility to adopt an energy efficiency plan that
 21 results in projected cumulative average annual costs that
 22 exceed two percent of the electric utility's expected annual
 23 Iowa retail rate revenue from retail customers in the state,
 24 and shall not require an electric utility to adopt a demand
 25 response plan that results in projected cumulative average
 26 annual costs that exceed two percent of the electric utility's
 27 expected annual Iowa retail rate revenue from retail customers
 28 in the state. For purposes of determining the two percent
 29 threshold amount, the board shall exclude from an electric
 30 utility's expected annual Iowa retail rate revenue the revenues

31 expected from customers that have received exemptions from
 32 energy efficiency plans pursuant to paragraph “a”. This
 33 subparagraph shall apply to energy efficiency plans and demand
 34 response plans that are effective on or after January 1, 2019.
 35 (3) The board may approve, reject, or modify the plans and

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1 budgets. Notwithstanding the provisions of section 17A.19,
 2 subsection 5, in an application for judicial review of the
 3 board’s decision concerning a utility’s ~~energy efficiency~~ plan
 4 or budget, the reviewing court shall not order a stay.
 5 (4) The board shall approve, reject, or modify a plan filed
 6 pursuant to this subsection no later than March 31, 2019. If
 7 the board fails to approve, reject, or modify a plan filed by a
 8 gas or electric utility on or before such date, any plan filed
 9 by the gas or electric utility that was approved by the board
 10 prior to the effective date of this Act shall be terminated.
 11 The board shall not require a gas or electric utility to
 12 implement an energy efficiency plan or demand response plan
 13 that does not meet the requirements of this subsection.
 14 (5) Whenever a request to modify an approved plan or budget
 15 is filed subsequently by ~~the office of consumer advocate~~ or a
 16 gas or electric utility required to be rate-regulated under
 17 this chapter, the board shall promptly initiate a formal
 18 proceeding if the board determines that any reasonable ground
 19 exists for investigating the request. The formal proceeding
 20 may be initiated at any time by the board on its own motion.
 21 Implementation of board-approved plans or budgets shall
 22 be considered continuous in nature and shall be subject to
 23 investigation at any time by the board or the office of the
 24 consumer advocate.
 25 *f.* Notice to customers of a contested case proceeding for
 26 review of energy efficiency plans, demand response plans, and
 27 budgets shall be in a manner prescribed by the board.
 28 *g.*(1) A gas or electric utility required to be
 29 rate-regulated under this chapter may recover, through an
 30 automatic adjustment mechanism filed pursuant to subsection 8,
 31 over a period not to exceed the term of the plan, the costs of
 32 an energy efficiency plan or demand response plan approved by
 33 the board, ~~including amounts for a plan approved prior to July~~
 34 ~~1, 1996~~, in a contested case proceeding conducted pursuant to
 35 paragraph “e”. Customers that have been granted exemptions from

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1 energy efficiency plans pursuant to paragraph “a”, shall not
 2 be charged for recovery of energy efficiency costs beginning
 3 January 1 of the year following the year in which the customer
 4 was granted the exemption.
 5 (2) The board shall periodically conduct a contested case
 6 proceeding to evaluate the reasonableness and prudence of the

7 utility's implementation of an approved energy efficiency
 8 or demand response plan and budget. If a utility is not
 9 taking all reasonable actions to cost-effectively implement
 10 an approved energy efficiency plan, the board shall not allow
 11 the utility to recover from customers costs in excess of those
 12 costs that would be incurred under reasonable and prudent
 13 implementation and shall not allow the utility to recover
 14 future costs at a level other than what the board determines
 15 to be reasonable and prudent. If the result of a contested
 16 case proceeding is a judgment against a utility, that utility's
 17 future level of cost recovery shall be reduced by the amount
 18 by which the programs were found to be imprudently conducted.
 19 ~~The Beginning January 1, 2019, a gas or electric utility~~
 20 ~~shall not represent energy efficiency and demand response in~~
 21 ~~customer billings as a separate cost or expense unless the~~
 22 ~~board otherwise approves.>~~

23 7. Page 10, after line 7 by inserting:

24 <Sec. ____ Section 476.6, Code 2018, is amended by adding
 25 the following new subsection:

26 **NEW SUBSECTION. 23. Federal tax reduction — customer**
 27 *benefits.* Customers of gas and electric utilities subject to
 28 rate regulation by the board shall receive the full benefits
 29 of the utilities' reduced federal corporate income taxes as
 30 provided in the federal Tax Cuts and Jobs Act of 2017, Pub.
 31 L. No. 115-97, 131 Stat. 2054. Notwithstanding any other
 32 provision of law or rule to the contrary, the board shall,
 33 no later than June 1, 2018, approve any proposal filed by a
 34 rate-regulated gas or electric utility to pass such benefits
 35 on to customers. The board may approve rates with provision

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1 for adjustments to ensure that the rates are accurate and that
 2 customers receive the full benefits.>

3 8. Page 12, by striking lines 4 through 6 and inserting <the
 4 actual costs and revenues are reasonably consistent with those
 5 approved by the board. If the actual costs and revenues are
 6 not reasonably consistent with those approved by the board, the
 7 board shall>

8 9. Page 12, line 15, by striking <paragraph> and inserting
 9 <subsection>

10 10. Page 13, by striking lines 10 and 11 and inserting:

11 <1. The section of this Act amending section 476.6,
 12 subsection 15, paragraphs "e", "f", and "g".

13 2. The section of this Act enacting section 476.6,
 14 subsection 23.>>

15 11. By renumbering as necessary.

H-8415

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:

5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

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1 at pleasure, and execute all the powers conferred in this
2 chapter.

3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:

5 **28F.11 Eminent domain.**

6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property

13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 13, after line 7 by inserting:
 27 <Sec. __.ENERGY POLICY TASK FORCE.
 28 1. The utilities division of the department of commerce
 29 shall establish an energy policy task force. The task force
 30 shall consist of seven members as follows:
 31 a. One member representing and appointed by the Iowa
 32 utilities board.
 33 b. One member representing and appointed by the office of
 34 consumer advocate.
 35 c. One member representing and appointed by the department

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1 of natural resources.
 2 d. Two members of the Iowa senate, to serve as nonvoting, ex
 3 officio members, one member being from the majority political
 4 party and the other being from the minority political party.
 5 e. Two members of the Iowa house of representatives, to
 6 serve as nonvoting, ex officio members, one member being from
 7 the majority political party and the other being from the
 8 minority political party.
 9 2. The task force shall study the effectiveness of
 10 the state's current energy policies and shall submit
 11 recommendations regarding the results of such study to the
 12 governor and the general assembly no later than January 19,
 13 2020.>
 14 3. Page 13, line 14, after <support,> by inserting
 15 <establishing an energy policy task force,>
 16 4. By renumbering as necessary.

KRESSIG of Black Hawk

H-8416

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 <Amend Senate File 2311, as amended, passed, and reprinted

6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.

3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:

5 **28F.11 Eminent domain.**

6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as

20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>

26 2. Page 13, after line 7 by inserting:

27 <Sec. __.ENERGY ASSISTANCE PROGRAMS. Energy assistance
 28 programs shall not be discontinued following the enactment of
 29 this Act until the Iowa utilities board conducts a study on
 30 the energy policy impact of the enactment of this Act with
 31 respect to minority persons, rural residents, elderly persons,
 32 low-income persons, and disabled persons, and submits a report
 33 containing the results of the study to the general assembly.>

34 3. By renumbering as necessary.

GASKILL of Wapello

H-8417

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:

5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
 8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,
 15 and industrial waste, facilities used for the conversion of
 16 solid waste to energy, gasworks and facilities useful for
 17 the delivery of natural gas service, and also electric power
 18 facilities constructed within the state of Iowa, except that
 19 hydroelectric power facilities may also be located in the
 20 waters and on the dams of or on land adjacent to either side
 21 of the Mississippi or Missouri river bordering the state of
 22 Iowa, water supply systems, swimming pools or golf courses.
 23 This chapter applies to the acquisition, construction,
 24 reconstruction, ownership, operation, repair, extension,
 25 or improvement of such works or facilities, by a separate
 26 administrative or legal entity created pursuant to chapter
 27 28E or chapter 389. When the legal entity created under
 28 this chapter is comprised solely of cities, counties, and
 29 sanitary districts established under chapter 358, or any
 30 combination thereof or any combination of the foregoing with
 31 other public agencies, the entity shall be both a corporation
 32 and a political subdivision with the name under which it was

33 organized. The legal entity may sue and be sued, contract,
 34 acquire and hold real and personal property necessary for
 35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
 2 chapter.
 3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
 4 follows:
 5 **28F.11 Eminent domain.**
 6 Any public agency participating in an agreement authorizing
 7 the joint exercise of governmental powers pursuant to this
 8 chapter may exercise its power of eminent domain to acquire
 9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 5, after line 16 by inserting:
 27 <c. A municipally-owned utility or a utility required to be
 28 rate-regulated that automatically adjusts rates or charges to
 29 increase consumer costs shall be subjected to a random audit
 30 by the board or the office of the consumer advocate and shall
 31 report to the board and the office of the consumer advocate how
 32 such increase in consumer costs is spent by the utility.>

HUNTER of Polk

H-8418

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:
 7 1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is

10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.

3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:

5 **28F.11 Eminent domain.**

6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as
20 defined in chapter 6A, of the condemning public agency, and the
21 payment of the costs of the acquisition may be made pursuant
22 to the agreement or to any separate agreement between the
23 public agency and the entity or the other public agencies

24 participating in the entity or any of them. Upon payment of
25 costs, any property acquired is the property of the entity.>

26 2. Page 10, after line 7 by inserting:

27 <Sec. ___. Section 476.6, Code 2018, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 23. The board shall, at least once per
30 year, identify population centers within state counties
31 containing low-income, elderly, disabled, and minority
32 consumers and shall require all utilities servicing such
33 population centers to reassess energy assistance and provide
34 outreach to ensure such consumers have access to energy
35 programs.>>

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1 3. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8419

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:

5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation

32 and a political subdivision with the name under which it was
 33 organized. The legal entity may sue and be sued, contract,
 34 acquire and hold real and personal property necessary for
 35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
 2 chapter.
 3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
 4 follows:
 5 **28F.11 Eminent domain.**
 6 Any public agency participating in an agreement authorizing
 7 the joint exercise of governmental powers pursuant to this
 8 chapter may exercise its power of eminent domain to acquire
 9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 13, by striking lines 8 through 11 and inserting:
 27 <Sec. __.CONTINGENT EFFECTIVE DATE. This Act shall
 28 not become effective until the date on which the legislative
 29 services agency completes a cost-comparison analysis of other
 30 states that have enacted similar legislation with respect to
 31 utility costs for low-income, elderly, disabled, rural, and
 32 minority persons, and submits a copy of the analysis to the
 33 general assembly.>
 34 3. Page 13, line 14, after <including> by inserting
 35 <contingent>

PAGE 3

1 4. By renumbering as necessary.

ANDERSON of Polk

H-8420

1 Amend the amendment, H-8340, to Senate File 2311, as

2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:

5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.

3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:

5 **28F.11 Eminent domain.**

6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission.

16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>

26 2. Page 13, after line 7 by inserting:

27 <Sec. __.CONTINGENT EFFECTIVE DATE — ENERGY POLICY
 28 IMPACT STUDY. This Act shall not become effective until the
 29 date on which the office of consumer advocate, in collaboration
 30 with the Iowa utilities board, completes a study of the impact
 31 of the provisions of this Act with respect to minority persons,
 32 rural residents, elderly persons, low-income persons, and
 33 disabled persons, and submits a copy of the study to the
 34 general assembly.>

35 3. Page 13, line 14, after <support,> by inserting <

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1 providing for a study of energy policy impact,>

2 4. By renumbering as necessary.

COURT of Warren

H-8421

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 Amend Senate File 2311, as amended, passed, and reprinted by
 6 the Senate, as follows:
 7 <1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:
 11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,
 15 and industrial waste, facilities used for the conversion of
 16 solid waste to energy, gasworks and facilities useful for
 17 the delivery of natural gas service, and also electric power
 18 facilities constructed within the state of Iowa, except that
 19 hydroelectric power facilities may also be located in the
 20 waters and on the dams of or on land adjacent to either side
 21 of the Mississippi or Missouri river bordering the state of
 22 Iowa, water supply systems, swimming pools or golf courses.

23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.
3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:
5 **28F.11 Eminent domain.**
6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as
20 defined in chapter 6A, of the condemning public agency, and the
21 payment of the costs of the acquisition may be made pursuant
22 to the agreement or to any separate agreement between the
23 public agency and the entity or the other public agencies
24 participating in the entity or any of them. Upon payment of
25 costs, any property acquired is the property of the entity.>>
26 2. Page 4, line 35, by striking <subsections 8 and 13, Code
27 2018, are> and inserting <subsection 8, Code 2018, is>
28 3. Page 5, by striking lines 17 through 34 and inserting:
29 <Sec. ____ . Section 476.6, subsection 13, Code 2018, is
30 amended by striking the subsection.>
31 4. By striking page 7, line 14, through page 9, line 34, and
32 inserting:
33 <Sec. ____ . Section 476.6, subsection 15, paragraph g, Code
34 2018, is amended to read as follows:
35 g.(1) A gas or electric utility required to be

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1 rate-regulated under this chapter may recover, through an
 2 automatic adjustment mechanism filed pursuant to subsection 8,
 3 over a period not to exceed the term of the plan, the costs of
 4 an energy efficiency plan or demand response plan approved by
 5 the board, ~~including amounts for a plan approved prior to July~~
 6 ~~1, 1996~~, in a contested case proceeding conducted pursuant to
 7 paragraph "e". The board shall allow a gas or electric utility
 8 to provide in an energy efficiency plan or demand response
 9 plan for a return of and return on investments exceeding an
 10 amount established by the board for the utility's current and
 11 previously approved plan that is up to nine percent of revenue,
 12 to the extent that such investments are cost-effective,
 13 including the return allowed by the board. The board shall
 14 periodically conduct a contested case proceeding to evaluate
 15 the reasonableness and prudence of the utility's implementation
 16 of an approved energy efficiency plan and budget. If a utility
 17 is not taking all reasonable actions to cost-effectively
 18 implement an approved energy efficiency plan, the board shall
 19 not allow the utility to recover from customers costs in
 20 excess of those costs that would be incurred under reasonable
 21 and prudent implementation and shall not allow the utility
 22 to recover future costs at a level other than what the board
 23 determines to be reasonable and prudent. If the result of a
 24 contested case proceeding is a judgment against a utility, that
 25 utility's future level of cost recovery shall be reduced by
 26 the amount by which the programs were found to be imprudently
 27 conducted. The utility shall not represent energy efficiency
 28 in customer billings as a separate cost or expense unless the
 29 board otherwise approves.>

30 5. By striking page 9, line 35, through page 10, line 1.
 31 6. By renumbering as necessary.

ISENHART of Dubuque

H-8422

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:
 7 1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:
 11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,

15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.
3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:
5 **28F.11 Eminent domain.**
6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as
20 defined in chapter 6A, of the condemning public agency, and the
21 payment of the costs of the acquisition may be made pursuant
22 to the agreement or to any separate agreement between the
23 public agency and the entity or the other public agencies
24 participating in the entity or any of them. Upon payment of
25 costs, any property acquired is the property of the entity.>>
26 2. Page 4, by striking lines 10 and 11.

- 27 3. By striking page 10, line 26, through page 11, line 4.
 28 4. By renumbering as necessary.

OLDSON of Polk

H-8423

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:
 7 1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:
 11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,
 15 and industrial waste, facilities used for the conversion of
 16 solid waste to energy, gasworks and facilities useful for
 17 the delivery of natural gas service, and also electric power
 18 facilities constructed within the state of Iowa, except that
 19 hydroelectric power facilities may also be located in the
 20 waters and on the dams of or on land adjacent to either side
 21 of the Mississippi or Missouri river bordering the state of
 22 Iowa, water supply systems, swimming pools or golf courses.
 23 This chapter applies to the acquisition, construction,
 24 reconstruction, ownership, operation, repair, extension,
 25 or improvement of such works or facilities, by a separate
 26 administrative or legal entity created pursuant to chapter
 27 28E or chapter 389. When the legal entity created under
 28 this chapter is comprised solely of cities, counties, and
 29 sanitary districts established under chapter 358, or any
 30 combination thereof or any combination of the foregoing with
 31 other public agencies, the entity shall be both a corporation
 32 and a political subdivision with the name under which it was
 33 organized. The legal entity may sue and be sued, contract,
 34 acquire and hold real and personal property necessary for
 35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
 2 chapter.
 3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
 4 follows:
 5 **28F.11 Eminent domain.**
 6 Any public agency participating in an agreement authorizing
 7 the joint exercise of governmental powers pursuant to this

8 chapter may exercise its power of eminent domain to acquire
 9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 8, by striking line 3 and inserting:
 27 <(3) The board shall not approve an energy efficiency plan
 28 or demand response plan submitted pursuant to this subsection
 29 that provides for or results in a cross-subsidy between
 30 customer rate classes.
 31 (4)(a) Each gas or electric utility required to be>
 32 3. Page 8, line 27, by striking <(4)> and inserting <(5)>

ISENHART of Dubuque

H-8424

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:
 7 1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:
 11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,
 15 and industrial waste, facilities used for the conversion of
 16 solid waste to energy, gasworks and facilities useful for
 17 the delivery of natural gas service, and also electric power
 18 facilities constructed within the state of Iowa, except that
 19 hydroelectric power facilities may also be located in the
 20 waters and on the dams of or on land adjacent to either side
 21 of the Mississippi or Missouri river bordering the state of

22 Iowa, water supply systems, swimming pools or golf courses.
 23 This chapter applies to the acquisition, construction,
 24 reconstruction, ownership, operation, repair, extension,
 25 or improvement of such works or facilities, by a separate
 26 administrative or legal entity created pursuant to chapter
 27 28E or chapter 389. When the legal entity created under
 28 this chapter is comprised solely of cities, counties, and
 29 sanitary districts established under chapter 358, or any
 30 combination thereof or any combination of the foregoing with
 31 other public agencies, the entity shall be both a corporation
 32 and a political subdivision with the name under which it was
 33 organized. The legal entity may sue and be sued, contract,
 34 acquire and hold real and personal property necessary for
 35 corporate purposes, adopt a corporate seal and alter the seal

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1 at pleasure, and execute all the powers conferred in this
 2 chapter.
 3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
 4 follows:
 5 **28F.11 Eminent domain.**
 6 Any public agency participating in an agreement authorizing
 7 the joint exercise of governmental powers pursuant to this
 8 chapter may exercise its power of eminent domain to acquire
 9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 5, line 14, after <with the board.> by inserting
 27 <If a public utility automatically adjusts rates and charges
 28 to recover costs related to transmission pursuant to this
 29 paragraph, the utility shall represent the change in rates
 30 or charges in customer billings as the percentage increase
 31 or decrease to the existing rates or charges, not as the
 32 percentage change to the average customer billing or any other
 33 calculation.>

34 3. By renumbering, redesignating, and correcting internal
35 references as necessary.

ISENHART of Dubuque

H-8425

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 12, after line 30 by inserting:
4 <Sec. _____. Section 664A.1, subsection 2, Code 2018, is
5 amended to read as follows:
6 2.a. "Protective order" means a protective order issued
7 pursuant to chapter 232, a court order or court-approved
8 consent agreement entered pursuant to this chapter or chapter
9 235F, a court order or court-approved consent agreement entered
10 pursuant to chapter 236 or 236A, including a valid foreign
11 protective order under section 236.19, subsection 3, or section
12 236A.19, subsection 3, a temporary or permanent protective
13 order or order to vacate the homestead under chapter 598, or an
14 order that establishes conditions of release or is a protective
15 order or sentencing order in a criminal prosecution arising
16 from a domestic abuse assault under section 708.2A, or a civil
17 injunction issued pursuant to section 915.22.
18 b. "Protective order" does not include a protective order
19 issued pursuant to chapter 664B.
20 Sec. _____.NEW SECTION. 664B.1 Definitions.
21 As used in this chapter unless the context otherwise
22 requires:
23 1. "*Affidavit*" means a written declaration or statement of
24 fact made under oath, or legally sufficient affirmation, before
25 any person authorized to administer oaths within or without the
26 state.
27 2. "*Family member*" means a spouse, person cohabiting, a
28 parent, or other person related by consanguinity or affinity.
29 3. "*Firearm*" includes ammunition and any offensive weapon.
30 4. "*Intimate relationship*" means the same as defined in
31 section 235E.1.
32 5. "*Plaintiff*" means a family member, a person with whom the
33 respondent is having an intimate relationship with, or a peace
34 officer who files a petition under this chapter.
35 6. "*Possession*" includes ownership, custody, or control.

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1 7. "*Respondent*" means a person against whom a protective
2 order is filed under this chapter.
3 Sec. _____.NEW SECTION. 664B.2 Extreme risk protective order
4 — petition.
5 1. A plaintiff may file a petition in the district court
6 requesting an extreme risk protective order. Venue shall lie
7 in the county where either party resides. The petition shall

- 8 contain all of the following:
- 9 *a.* Name of the plaintiff and the name and address of the
10 plaintiff's attorney, if any. If the plaintiff is proceeding
11 pro se, the petition shall state a mailing address for the
12 plaintiff. A mailing address may be provided by the plaintiff
13 pursuant to section 664B.6.
- 14 *b.* A statement of facts alleging the respondent presents
15 a significant danger to the respondent's self or others by
16 possessing, shipping, transporting, or receiving firearms
17 accompanied by an affidavit stating the specific statements,
18 actions, or facts that give rise to the reasons the respondent
19 presents a significant danger to the respondent's self or
20 others by possessing, shipping, transporting, or receiving
21 firearms.
- 22 *c.* The location, type, and number of firearms the plaintiff
23 believes are possessed by the respondent.
- 24 *d.* Whether the respondent is subject to a current protective
25 order or a no-contact order.
- 26 *e.* Whether any legal proceeding is pending between the
27 plaintiff and respondent, and if so, the nature of the legal
28 proceeding.
- 29 *f.* Desired relief, including a request for temporary or
30 emergency orders.
- 31 2. The filing fee and court costs for an extreme risk
32 protective order shall be waived for the plaintiff.
- 33 3. The clerk of the district court, the sheriff of any
34 county in this state, or any peace officer, or corrections
35 officer shall perform their duties relating to service of

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- 1 process without charge to the plaintiff. When an order for
2 an extreme risk protective is entered by the court, the court
3 may direct the respondent to pay to the clerk of court the
4 fees for the filing of the petition and reasonable costs of
5 service of process if the court determines the respondent has
6 the ability to pay the plaintiff's fees and costs. In lieu of
7 personal service of a protective order issued pursuant to this
8 section, the sheriff of any county in this state, and other law
9 enforcement and corrections officers may serve a respondent
10 with a short-form notification pursuant to section 664B.3.
- 11 Sec. . **NEW SECTION. 664B.3 Short-form notification.**
- 12 1. In lieu of personal service of an extreme risk protective
13 order or an emergency extreme risk protective order on a
14 respondent whose firearms are to be surrendered by such an
15 order, a sheriff of any county in this state or any peace
16 officer or corrections officer in this state may serve the
17 respondent with a short-form notification pursuant to this
18 section to effectuate service of an unserved order.
- 19 2. Service of a short-form notification under this section
20 shall be allowed during traffic stops and other contacts with
21 the respondent by a sheriff, peace officer, or corrections

22 officer in this state in the course of performing official
23 duties. The respondent may be detained for a reasonable period
24 of time to complete the short-form notification process.

25 3. When the short-form notification process is complete,
26 the sheriff, peace officer, or corrections officer serving the
27 notification shall file a copy of the notification with the
28 clerk of the district court. The filing shall indicate the
29 date and time the notification was served on the respondent.
30 4. The short-form notification shall be on a form
31 prescribed by the state court administrator. The state court
32 administrator shall prescribe rules relating to the content
33 and distribution of the form to appropriate law enforcement
34 agencies in this state. The form shall include but not be
35 limited to all of the following statements:

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1 a. The respondent shall immediately surrender all firearms
2 in the respondent's possession and any permit to carry weapons
3 or permit to acquire in the possession of the respondent.

4 b. The respondent is responsible for obtaining a full copy
5 of the extreme risk protective order or emergency extreme risk
6 protective order from the county sheriff of the county in which
7 the order was entered or from the clerk of the district court.

8 c. The terms and conditions of the extreme risk protective
9 order or emergency extreme risk protective order are
10 enforceable, and the respondent is subject to arrest for
11 violating the protective order.

12 Sec. NEW SECTION. 664B.4 **Plaintiffs proceeding pro se**
13 **— provision of forms and assistance.**

14 1. The department of justice shall prescribe standard forms
15 to be used by a plaintiff proceeding pro se when filing a
16 petition under this chapter. The standard forms shall include
17 language in fourteen point boldface type. Standard forms
18 prescribed by the department shall be the exclusive forms used
19 by a plaintiff proceeding pro se, and may be used by other
20 plaintiffs. The department shall distribute the forms to the
21 clerks of the district courts.

22 2. The clerk of the district court shall furnish the
23 required forms to plaintiffs seeking an extreme risk protective
24 order through pro se proceedings pursuant to this chapter.

25 Sec. NEW SECTION. 664B.5 **Assistance by county**
26 **attorney.**

27 A county attorney's office may provide assistance to a
28 plaintiff wishing to initiate proceedings pursuant to this
29 chapter or to a plaintiff at any stage of a proceeding under
30 this chapter, if the plaintiff does not have sufficient funds
31 to pay for legal assistance and if the assistance does not
32 create a conflict of interest for the county attorney's office.
33 The assistance provided may include, but is not limited to,
34 assistance in obtaining or completing forms, filing a petition
35 or other necessary pleading, presenting evidence to the court,

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1 and enforcing the orders of the court entered pursuant to this
2 chapter. Providing assistance pursuant to this section shall
3 not be considered the private practice of law for the purposes
4 of section 331.752.

5 Sec. .NEW SECTION. **664B.6 Plaintiff's address —**
6 **confidentiality of records.**

7 1. A plaintiff may use any of the following addresses as a
8 mailing address for purposes of filing a petition under this
9 chapter:

10 a. The mailing address of a shelter or other agency.

11 b. A public or private post office box.

12 c. Any other mailing address, with the permission of the
13 resident of that address.

14 2. A plaintiff shall report any change of address, whether
15 designated according to subsection 1 or otherwise, to the clerk
16 of the district court no more than five days after the previous
17 address on record becomes invalid.

18 3. The entire file or a portion of the file under this
19 chapter shall be sealed by the clerk of the district court as
20 ordered by the court to protect the privacy interest or safety
21 of any person.

22 4. Notwithstanding subsection 3, court orders shall remain
23 public records, although the court may order that address and
24 location information be redacted from the public records.

25 Sec. .NEW SECTION. **664B.7 Hearing.**

26 1. Not less than five and not more than fifteen days after
27 commencing a proceeding and upon notice to the other party,
28 a hearing shall be held at which the plaintiff must prove by
29 a preponderance of the evidence that the respondent presents
30 a significant danger to the respondent's self or others by
31 possessing, shipping, transporting, or receiving firearms.

32 2. Upon hearing, if the court finds by a preponderance of
33 the evidence that the respondent poses a significant danger
34 to the respondent's self or others by possessing, shipping,
35 transporting, or receiving firearms, the court shall issue an

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1 extreme risk protective order for a period of one year.

2 3. In determining whether grounds for an extreme risk
3 protective order exist, the court may consider any relevant
4 evidence including but not limited to the following:

5 a. A recent act or threat of violence by the respondent
6 against the respondent's self or others, and whether such
7 violence or threat involves a firearm.

8 b. A pattern of acts or threats of violence against the
9 respondent's self or others within the preceding twelve months
10 of the filing of the petition.

11 c. Any serious mental impairment of the respondent.

12 d. Any violation of a no-contact order issued for violations

13 or alleged violations of sections 708.2A, 708.7, 708.11, 709.2,
14 709.3, and 709.4, and any other public offense for which there
15 is a victim.

16 *e.* Any violation of a protective order issued in a civil
17 proceeding under chapter 232, 235F, 236, 236A, 598, or 915.

18 *f.* The issuance of a previous extreme risk protective order
19 against the respondent under this chapter.

20 *g.* A violation of a previous extreme risk protective order
21 issued against the respondent under this chapter.

22 *h.* A conviction of the respondent for a crime that
23 constitutes domestic abuse assault in violation of section
24 708.2A.

25 *i.* The possession of or access to a firearm, or the intent
26 to possess a firearm by the respondent.

27 *j.* The unlawful or reckless use, display, or brandishing of
28 a firearm by the respondent.

29 *k.* Any history of use, attempted use, or threatened use of
30 physical force by the respondent against another person, or the
31 respondent's history of stalking or harassing another person.

32 *l.* Any prior arrest of the respondent for a felony offense
33 or violent crime.

34 *m.* Evidence of abuse of a controlled substance or alcohol
35 by the respondent.

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1 *n.* Evidence of recent acquisition of a firearm by the
2 respondent.

3 4. The court may:

4 *a.* Examine under oath the plaintiff, the respondent, and
5 any witnesses that the plaintiff or respondent produces, or
6 in lieu of examination, consider affidavits of the plaintiff,
7 the respondent, or any witnesses the plaintiff or respondent
8 produces.

9 *b.* Ensure that a reasonable search has been conducted for
10 criminal history records relating to the respondent.

11 5. During the hearing, the court may order a substance abuse
12 evaluation.

13 6. An extreme risk protective order shall include all of the
14 following:

15 *a.* A statement of the grounds supporting the issuance of the
16 order.

17 *b.* The date and time the order was issued.

18 *c.* The date and time the order expires.

19 *d.* Whether a substance abuse evaluation is required.

20 *e.* Whether a responsive pleading may be filed.

21 *f.* A description of the firearms to be surrendered.

22 *g.* An extreme risk protective order shall contain the
23 following statement:

24 To the subject of this protective order: This order remains
25 effective until the date and time noted above. If you have not
26 done so already, you must surrender to the (insert the name of

27 a local law enforcement agency with jurisdiction) all firearms
 28 in your possession, custody, or control and surrender any
 29 permit to carry weapons or permit to acquire in your possession
 30 to such agency. You shall not have in your possession a
 31 firearm, or ship, transport, or receive, or attempt to ship,
 32 transport, or receive such a firearm while this order is in
 33 effect. You have the right to request one hearing to terminate
 34 this order during each twelve-month period that this order is
 35 in effect, starting from the date of this order and continuing

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1 through any extension of the order. If the order requires
 2 a substance abuse evaluation, you must first obtain such
 3 evaluation and disclose the results of the evaluation to the
 4 court prior to requesting a hearing.
 5 7. If a hearing is continued, the court may make or extend
 6 any order issued under subsection 2 that it deems necessary.
 7 8. Upon the application of a party, the court shall issue
 8 subpoenas requiring attendance and testimony of witnesses and
 9 production of papers.
 10 9. The court shall advise the respondent of a right to be
 11 represented by counsel of the respondent's choosing and to have
 12 a continuance to secure counsel.
 13 10. If applicable, the court shall determine whether the
 14 respondent has had sufficient opportunity to surrender the
 15 respondent's firearms after service of an emergency extreme
 16 risk protective order issued under section 664B.8.
 17 11. Hearings shall be recorded.
 18 Sec. ___NEW SECTION. 664B.8 Emergency extreme risk
 19 **protective order.**
 20 1. A plaintiff may request that an emergency extreme risk
 21 protective order be issued before a hearing for an extreme
 22 risk protective order under section 664B.7, without notice
 23 to the respondent, by including in the petition detailed
 24 allegations based on personal knowledge that the respondent
 25 poses a significant danger to the respondent's self or others,
 26 in the near future, by possessing, shipping, transporting, or
 27 receiving firearms.
 28 2. In considering whether to issue an emergency extreme risk
 29 protective order under this section, the court shall consider
 30 all relevant evidence described in section 664B.7, subsection
 31 3.
 32 3. If the court finds there is good cause to believe that
 33 the respondent poses a significant danger to the respondent's
 34 self or others, in the near future, by possessing, shipping,
 35 transporting, or receiving firearms, the court shall issue an

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1 emergency extreme risk protective order.
 2 4. The court shall hold an emergency extreme risk protective

3 order hearing in person or by telephone on the day the petition
4 is filed.

5 5. When the court is unavailable from the close of business
6 at the end of the day or week to the resumption of business
7 at the beginning of the day or week, a petition may be filed
8 before a district judge, or district associate judge designated
9 by the chief judge of the judicial district, who may grant
10 emergency relief under this section, if the district judge
11 or district associate judge finds there is good cause to
12 believe that the respondent poses a significant danger to the
13 respondent's self or others, in the near future, by possessing,
14 shipping, transporting, or receiving firearms.

15 6. An emergency extreme risk protective order shall include
16 the following:

17 a. A statement of the grounds supporting the issuance of the
18 order.

19 b. The date and time the order was issued.

20 c. The date and time the order expires.

21 d. Whether a responsive pleading may be filed.

22 e. A description of the firearms to be surrendered.

23 f. The date and time of the scheduled hearing.

24 g. An emergency extreme risk protective order shall contain
25 the following statement:

26 To the subject of this protective order: This order remains
27 effective until the date and time noted above. If you have not
28 done so already, you must immediately surrender to the (insert
29 the name of a local law enforcement agency with jurisdiction)
30 all firearms in your possession, custody, or control, and
31 surrender any permit to carry weapons or permit to acquire
32 in your possession to such agency. You shall not have in
33 your possession a firearm, or ship, transport, or receive, or
34 attempt to ship, transport, or receive such a firearm while
35 this order is in effect. A hearing will be held on the date

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1 and time noted above to determine if an extreme risk protective
2 order shall be issued. Failure to appear at that hearing may
3 result in a court entering an extreme risk protective order
4 against you that is valid for a period of one year. You may
5 seek the advice of an attorney as to any matter connected with
6 this order.

7 7. An emergency extreme risk protective order issued under
8 this section shall expire upon the issuance of an extreme
9 risk protective order under section 664B.7 or if the court
10 determines at a hearing on the petition for an extreme risk
11 protective order under section 664B.7 that the plaintiff
12 has not proven by a preponderance of the evidence that the
13 respondent presents a significant danger to the respondent's
14 self or others by possessing, shipping, transporting, or
15 receiving firearms.

16 8. An emergency extreme risk protective order shall be

17 served by the sheriff of any county in this state, a peace
 18 officer, or a corrections officer, in the same manner provided
 19 in section 664B.2 for the service of the notice and petition,
 20 and shall be served concurrently with such notice of hearing
 21 and petition, if possible. Alternatively, an emergency
 22 extreme risk protective order may be served using short-form
 23 notification pursuant to section 664B.3, and shall be served
 24 concurrently with the notice of hearing and petition, if
 25 possible.

26 Sec. .**NEW SECTION. 664B.9 Notice of extreme risk**
 27 **protective order or emergency extreme risk protective order.**

28 1. The clerk of the district court or other person
 29 designated by the court shall provide a copy of the extreme
 30 risk protective order or the emergency extreme risk protective
 31 order to the plaintiff.

32 2. The clerk of the district court shall provide a notice
 33 and copy of the protective order to the appropriate law
 34 enforcement agencies and the twenty-four-hour dispatcher for
 35 the law enforcement agencies in the same manner as provided in

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1 section 235F.6, 236.5, or 236A.7, as applicable. The clerk
 2 of the district court shall provide a notice and copy of a
 3 termination or extension of the protective order in the same
 4 manner.

5 Sec. .**NEW SECTION. 664B.10 Termination or extension of**
 6 **order.**

7 1. The respondent may request a hearing to terminate
 8 an extreme risk protective order issued under this chapter
 9 during the twelve-month period that the order is in effect,
 10 starting from the date of the order and continuing through any
 11 extensions.

12 a. Upon receipt of a request for a hearing to terminate
 13 an extreme risk protective order, the court shall set a date
 14 for a hearing. Notice of the request shall be served on the
 15 plaintiff. The hearing shall occur no sooner than fourteen
 16 days and no later than thirty days from the date of service of
 17 the request upon the plaintiff.

18 b. The respondent shall have the burden of proving by a
 19 preponderance of the evidence that the respondent does not pose
 20 a significant danger to the respondent's self or others by
 21 possessing, shipping, transporting, or receiving firearms.

22 c. If the court finds after the hearing that the respondent
 23 has met the burden of proof, the court shall terminate the
 24 extreme risk protective order.

25 2. A family member may, by motion, request an extension
 26 of an extreme risk protective order within ninety days of the
 27 expiration of the order.

28 a. Upon receipt of a motion to extend an extreme risk
 29 protective order, the court shall order the hearing be held no
 30 earlier than fourteen days from the date of the motion.

- 31 *b.* In considering whether to extend the extreme risk
32 protective order under this section, the court shall consider
33 all relevant evidence described in section 664B.7, subsection
34 3.
35 *c.* If the court finds by a preponderance of the evidence

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- 1 that the requirements for issuance of an extreme risk
2 protective order continue to be met, the court shall extend
3 the order. However, if, after notice, the motion to extend is
4 uncontested and the plaintiff does not seek a modification of
5 the existing order, the order may be extended on the basis of
6 the plaintiff's motion or affidavit stating that there has been
7 no material change in relevant circumstances since entry of the
8 protective order.
9 Sec. __.NEW SECTION. 664B.11 Firearms and firearm permits
10 — surrender.
11 1. Upon the issuance of an extreme risk protective order
12 or an emergency extreme risk protective order, the court shall
13 order the respondent to immediately surrender to the law
14 enforcement agency named in the protective order, all firearms
15 possessed by the respondent and any permit to carry weapons
16 or permit to acquire possessed by the respondent, within
17 forty-eight hours of service of the order or within forty-eight
18 hours of a hearing held pursuant to section 664B.7 at which the
19 respondent was present and an order was subsequently issued.
20 2. At the time of surrendering any firearms, a law
21 enforcement officer taking possession of any firearms
22 shall issue a receipt identifying all firearms that have
23 been surrendered and provide a copy of the receipt to the
24 respondent. Within seventy-two hours after service of the
25 order the law enforcement officer serving the order shall file
26 the original receipt with the court and shall ensure that the
27 law enforcement agency retains a copy of the receipt.
28 3. Upon a sworn statement or testimony of the plaintiff or
29 of any law enforcement officer alleging that the respondent has
30 failed to comply with the surrender of firearms and permits
31 as required by any order issued under this section, the court
32 shall determine whether probable cause exists to believe that
33 the respondent has failed to surrender all firearms or permits
34 in the possession of the respondent. If probable cause exists,
35 the court shall issue a search warrant describing the firearms

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- 1 and authorizing a search of the locations where the firearms
2 are reasonably believed to be and the seizure of any firearms
3 discovered in the search.
4 4. If a person other than the respondent claims to own
5 any of the firearms seized or surrendered pursuant to this
6 chapter, and the law enforcement agency where the firearms are

7 stored determines that person to be the lawful owner of the
 8 firearms, the firearms shall be returned to the lawful owner if
 9 the lawful owner agrees to store the firearms in such a manner
 10 that prevents the respondent from having access to the firearms
 11 during the time an extreme risk protective order or emergency
 12 extreme risk protective order is in effect.

13 Sec. .NEW SECTION. **664B.12 Firearm surrender —**
 14 **hearing.**

15 Upon the issuance of an extreme risk protective order, the
 16 court shall order a new hearing within three business days
 17 of the issuance of the order that requires the respondent
 18 to provide evidence to the court that the respondent has
 19 surrendered any firearms in the possession of the respondent.
 20 The court may dismiss the hearing upon a satisfactory showing
 21 the respondent has complied with the order.

22 Sec. .NEW SECTION. **664B.13 Firearms — storage.**

23 All law enforcement agencies shall develop policies and
 24 procedures by June 1, 2019, regarding the acceptance, storage,
 25 and return of firearms surrendered to a law enforcement agency
 26 under this chapter.

27 Sec. .NEW SECTION. **664B.14 Return of firearms and**
 28 **unclaimed firearms.**

29 1. If an extreme risk protective order is terminated or
 30 expires without an extension, the law enforcement agency in
 31 possession of any firearms surrendered by a respondent shall
 32 return any such firearms upon request of the respondent,
 33 provided the respondent is eligible to possess a firearm.

34 2. Notwithstanding section 809.21, for firearms that remain
 35 unclaimed by the lawful owner, the firearms shall be destroyed

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1 pursuant to 661 IAC 95.8.

2 Sec. .NEW SECTION. **664B.15 Penalties.**

3 1. A person who files a petition under this chapter knowing
 4 the information in the petition to be materially false commits
 5 a serious misdemeanor.

6 2. A respondent who possesses a firearm, or who ships,
 7 transports, or receives, or attempts to ship, transport, or
 8 receive a firearm while an extreme risk protective order or
 9 emergency extreme risk protective order is in effect commits an
 10 aggravated misdemeanor.

11 3. A person who claims ownership of a firearm pursuant to
 12 section 664B.11, subsection 4, who agrees to store the firearm
 13 in such a manner that prevents a respondent from having access
 14 to the firearm commits a serious misdemeanor if the respondent
 15 is later found to have access to the firearm that is subject
 16 to the agreement while an extreme risk protective order is in
 17 effect.

18 4. A respondent who violates subsection 2 shall be
 19 prohibited from possessing, shipping, transporting, or
 20 receiving a firearm for a period of five years from the date of

21 the conviction.

22 Sec. _____. Section 724.8, Code 2018, is amended by adding the
23 following new subsections:

24 NEW SUBSECTION. 7. Is subject to an extreme risk protective
25 order or an emergency extreme risk protective order issued
26 under chapter 664B.

27 NEW SUBSECTION. 8. Has been convicted of a violation of
28 section 664B.15, subsection 2, within the previous five years.

29 Sec. _____. Section 724.15, subsection 1, Code 2018, is
30 amended by adding the following new paragraphs:

31 NEW PARAGRAPH. *d.* Is subject to an extreme risk protective
32 order or an emergency extreme risk protective order issued
33 under chapter 664B.

34 NEW PARAGRAPH. *e.* Has been convicted of a violation of
35 section 664B.15, subsection 2, within the previous five years.

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1 Sec. _____. Section 724.26, subsection 2, paragraph a, Code
2 2018, is amended to read as follows:

3 *a.* Except as provided in paragraph “b”, a person ~~who is~~
4 ~~subject to a protective order under 18 U.S.C. §922(g)(8) or who~~
5 ~~has been convicted of a misdemeanor crime of domestic violence~~
6 ~~under 18 U.S.C. §922(g)(9) and who knowingly possesses,~~
7 ~~ships, transports, or receives a firearm, offensive weapon, or~~
8 ~~ammunition and who is any of the following is guilty of a class~~
9 ~~“D” felony:~~

10 (i) Is subject to a protective order under 18 U.S.C.
11 §922(g)(8).

12 (ii) Has been convicted of a misdemeanor crime of domestic
13 violence under 18 U.S.C. §922(g)(9).

14 (iii) Is subject to an extreme risk protective order under
15 chapter 664B.>

16 2. Page 13, line 13, by striking <utilities,> and inserting
17 <utilities and mental health and disability services, providing
18 for the creation of an extreme risk protective order,>

19 3. Page 13, line 14, by striking <support,> and inserting
20 <support, providing penalties,>

21 4. By renumbering as necessary.

STAED of Linn

H-8426

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:

5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.

3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:

5 **28F.11 Eminent domain.**

6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as
20 defined in chapter 6A, of the condemning public agency, and the
21 payment of the costs of the acquisition may be made pursuant
22 to the agreement or to any separate agreement between the

23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 11, after line 4 by inserting:
 27 <Sec. NEW SECTION. **476.21A** Municipally owned public
 28 utilities and public utilities required to be rate-regulated
 29 — employees.
 30 Municipally owned public utilities and public utilities
 31 required to be rate-regulated shall compensate all employees on
 32 an equal-payment scale and shall not consider race or gender
 33 in determining employee wages.>
 34 3. By renumbering as necessary.

HUNTER of Polk

H-8427

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:
 7 1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:
 11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,
 15 and industrial waste, facilities used for the conversion of
 16 solid waste to energy, gasworks and facilities useful for
 17 the delivery of natural gas service, and also electric power
 18 facilities constructed within the state of Iowa, except that
 19 hydroelectric power facilities may also be located in the
 20 waters and on the dams of or on land adjacent to either side
 21 of the Mississippi or Missouri river bordering the state of
 22 Iowa, water supply systems, swimming pools or golf courses.
 23 This chapter applies to the acquisition, construction,
 24 reconstruction, ownership, operation, repair, extension,
 25 or improvement of such works or facilities, by a separate
 26 administrative or legal entity created pursuant to chapter
 27 28E or chapter 389. When the legal entity created under
 28 this chapter is comprised solely of cities, counties, and
 29 sanitary districts established under chapter 358, or any
 30 combination thereof or any combination of the foregoing with
 31 other public agencies, the entity shall be both a corporation
 32 and a political subdivision with the name under which it was
 33 organized. The legal entity may sue and be sued, contract,
 34 acquire and hold real and personal property necessary for
 35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.

3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:

5 **28F.11 Eminent domain.**

6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as
20 defined in chapter 6A, of the condemning public agency, and the
21 payment of the costs of the acquisition may be made pursuant
22 to the agreement or to any separate agreement between the
23 public agency and the entity or the other public agencies
24 participating in the entity or any of them. Upon payment of
25 costs, any property acquired is the property of the entity.>>

26 2. Page 13, by striking lines 8 through 11 and inserting:
27 <Sec. ___.CONTINGENT EFFECTIVE DATE. This Act shall
28 not become effective until the date on which the office of
29 consumer advocate provides notice to the general assembly that
30 it is adequately prepared and has established procedures to
31 address potential consumer complaints regarding any increases
32 in customer utility rates or charges.>

33 3. By renumbering as necessary.

MASCHER of Johnson

H-8428

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:

5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary

13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
2 chapter.
3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:
5 **28F.11 Eminent domain.**
6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as
20 defined in chapter 6A, of the condemning public agency, and the
21 payment of the costs of the acquisition may be made pursuant
22 to the agreement or to any separate agreement between the
23 public agency and the entity or the other public agencies
24 participating in the entity or any of them. Upon payment of
25 costs, any property acquired is the property of the entity.>>
26 2. Page 2, after line 21 by inserting:

27 <Sec. ____NEW SECTION. **385.1 Definitions.**

28 As used in this chapter, unless the context otherwise
29 requires:

- 30 1. *“Board”* means an energy investment district board
31 appointed pursuant to this chapter.
32 2. *“Energy investment”* means an acquisition, installation,
33 or modification benefitting private property, except
34 residential property with fewer than three residential units,
35 that is intended to reduce energy consumption or energy costs,

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- 1 or both, or is intended to provide or allow for the use of
2 alternate and renewable energy. The term includes but is not
3 limited to the following measures:
4 a. Insulating walls, roofs, attics, floors, foundations, and
5 heating and cooling distribution systems.
6 b. Repairing, replacing, or installing storm windows
7 and doors, multiglazed windows and doors, heat-absorbing or
8 heat-reflective windows and doors, and other window and door
9 improvements designed to reduce energy consumption.
10 c. Constructing or reconstructing roofs designed to reduce
11 energy consumption or support additional loads necessitated by
12 other energy investments.
13 d. Installing energy control and measurement devices.
14 e. Heating, ventilating, or air conditioning distribution
15 system modifications and replacements.
16 f. Caulking and weatherstripping.
17 g. Installing lighting fixtures that result in increased
18 energy efficiency of the lighting system.
19 h. Installing water heating systems, elevators, and
20 escalators that result in increased energy efficiency.
21 i. Repairing, replacing, or installing energy recovery
22 systems.
23 j. Repairing, replacing, or installing daylighting systems.
24 k. Repairing, replacing, or installing energy systems that
25 provide energy from alternate or renewable energy, including
26 solar, wind, biomass, geothermal, or cogeneration.
27 l. Repairing, replacing, or installing facilities or
28 fixtures providing for water conservation or pollutant control.
29 m. Repairing, replacing, or installing an energy investment
30 related item so long as the cost of the energy investment
31 related item does not exceed twenty-five percent of the total
32 cost of the project.
33 3. *“Energy investment related item”* means a repair,
34 replacement, improvement, or modification to real property
35 that is necessary or desirable in conjunction with an energy

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- 1 investment. The term includes but is not limited to structural
2 support improvements and the repair or replacement of any

3 building components, paved surfaces, or fixtures disrupted or
4 altered by the installation of an energy investment.

5 4. "Project" means one or more energy investments to be
6 installed on a property.

7 Sec. .**NEW SECTION. 385.2 Energy investment district**
8 **created.**

9 1. A county or city may create an energy investment district
10 pursuant to this chapter in order to provide financing for
11 energy investment projects to benefit real property in the
12 district.

13 2. One or more counties and one or more cities within
14 those counties may create, by chapter 28E agreement, an energy
15 investment district pursuant to this chapter in order to
16 provide financing for energy investment projects to benefit
17 real property in the district. The agreement creating the
18 energy investment district shall specify the geographic
19 boundaries of the district.

20 Sec. .**NEW SECTION. 385.3 Energy investment district**
21 **board — membership — powers.**

22 1. The governing bodies of the counties and cities
23 participating in an energy investment district shall appoint a
24 board to manage and administer the energy investment district.
25 An energy investment district board shall consist of at least
26 three members, but if the district is created pursuant to
27 section 385.2, subsection 2, in no case shall there be fewer
28 members than the number of participating cities and counties.
29 The agreement creating the energy investment district shall set
30 the term length of board members.

31 2. A board shall have and may exercise the powers and duties
32 necessary for management and administration of the energy
33 investment district as such powers and duties are described
34 in the agreement, including but not limited to the following
35 express powers and duties:

PAGE 5

1 a. To adopt, amend, and repeal bylaws consistent with the
2 provisions of this chapter.

3 b. To adopt an official seal.

4 c. To sue and be sued in all courts.

5 d. To make and enter into contracts with public and private
6 entities.

7 e. To accept grants, guarantees, and donations of property,
8 labor, services, and other items of value from a public or
9 private source.

10 f. To employ or contract for such managerial, legal,
11 technical, clerical, accounting, or other assistance it
12 deems advisable. However, the board shall not enter into any
13 arrangement that results in an exclusive lender, underwriter,
14 or other funding partner for all projects funded by the board.

15 g. To finance projects under assessment contracts.

16 h. To levy and collect special assessments under an

17 assessment contract with a property owner.
 18 *i.* To borrow money from a public or private source and issue
 19 bonds and provide security for the repayment of such bonds.
 20 *j.* To charge and collect fees pursuant to section 385.5.
 21 *k.* To invest funds not required for immediate disbursement,
 22 subject to section 28E.5, subsection 2.
 23 3. A board shall exist for a minimum duration necessary to
 24 finance any assessment contracts that the board enters into
 25 pursuant to section 385.4.
 26 Sec. .**NEW SECTION. 385.4 Project financing requirements**
 27 **— assessment contracts.**
 28 1. A board may finance a project if the following criteria
 29 are met:
 30 *a.* There are sufficient resources to complete the project.
 31 *b.* The estimated monetary benefit, as determined by the
 32 board after consultation with an outside expert, and including
 33 but not limited to energy cost savings, maintenance, and other
 34 property operating savings expected from the project during the
 35 financing period is equal to or greater than the principal and

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1 interest cost of the project, including special assessments and
 2 any applicable fees.
 3 *c.* The project complies with the ordinances and regulations
 4 of the county or city where the property is located, including
 5 but not limited to such ordinances and regulations concerning
 6 zoning, subdivision of property, building, fire safety, and
 7 historic or architectural review.
 8 2. A board shall finance a project under an assessment
 9 contract. An assessment contract shall be executed by the
 10 board and the property owner or owners and shall include the
 11 following components:
 12 *a.* A description of the project, including the estimated
 13 cost of the project and a description of the estimated savings,
 14 prepared in accordance with standards accepted by the board.
 15 *b.* A mechanism for verifying the final costs of the project
 16 upon its completion and ensuring that any amounts advanced,
 17 financed, or otherwise provided by the board will not exceed
 18 the final cost of the project.
 19 *c.* An agreement by the property owner to pay special
 20 assessments and any applicable fees for a period not to exceed
 21 the weighted average useful life of the project, as specified
 22 in the assessment contract.
 23 *d.* An assessment schedule adopted by the board by
 24 resolution, stating the number of annual installments due,
 25 stating the time when assessments and any applicable fees are
 26 payable, and providing for interest on all unpaid installments
 27 and fees at a rate not exceeding that permitted by chapter 74A.
 28 *e.* A statement that the obligations provided in the
 29 assessment contract, including the obligation to pay special
 30 assessments and any applicable fees charged, are a covenant

31 that shall run with the land and be obligations upon future
 32 owners of such property.
 33 *f.* An acknowledgment that the subdivision of property
 34 subject to the assessment contract shall require the assessment
 35 contract or an amendment to the contract to divide the total

PAGE 7

1 special assessment and any applicable fees charged due between
 2 the newly subdivided parcels in proportion to the benefit
 3 realized by each subdivided parcel.
 4 *g.* An acknowledgment from all entities holding mortgages on
 5 the real property, or the contract seller under a real estate
 6 contract, to be assessed under the assessment contract that
 7 such interest holders have consented to the levy and collection
 8 of the special assessments and any applicable fees charged, as
 9 described in the assessment contract.
 10 *3.a.* A board shall provide a copy of a signed assessment
 11 contract to the county or city assessor, as appropriate, and to
 12 the county auditor of the county where the property is located
 13 and shall file for recording a copy of the assessment contract
 14 with the county recorder.
 15 *b.* The city clerk or county auditor, as appropriate, shall
 16 certify the assessment schedule to the treasurer of each county
 17 where the property is located. The county treasurer shall
 18 enter on the county system the amounts to be assessed against
 19 the property, as certified.
 20 4. A board may enter into more than one assessment contract
 21 with respect to a single parcel of real property, so long as
 22 each assessment contract relates to a separate project.
 23 5. A board shall determine an inspection procedure to
 24 be utilized upon completion of an energy investment financed
 25 pursuant to this chapter.
 26 **Sec. .NEW SECTION. 385.5 Special assessments — fees**
 27 **— delinquency.**
 28 1. The total special assessments levied by a board under an
 29 assessment contract shall not exceed the sum of the cost of the
 30 project, including any energy audits or inspections or portions
 31 thereof financed by the board, plus interest.
 32 2. In addition to special assessments provided under
 33 subsection 1, a board may also charge a fee of up to one percent
 34 of the total cost of a project, which fee may not exceed twenty
 35 thousand dollars per project. Such fee shall be charged in

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1 connection with administration of the assessment contract
 2 and with any technical, consultative, or project assistance
 3 services required. A fee charged under this subsection shall
 4 be included in an assessment contract provided under section
 5 385.4.
 6 3. Special assessments levied and any applicable fees

7 charged by a board under an assessment contract shall be
 8 levied, charged, and collected in the manner as provided in the
 9 assessment contract and with the same priority as ad valorem
 10 property taxes.

11 4.a. If special assessments and any applicable fees are
 12 not paid within the time period set forth in the assessment
 13 contract, such special assessments and fees shall be considered
 14 delinquent. Delinquent special assessments and fees shall
 15 become a lien on the property against which the special
 16 assessments were levied and the fees charged. A board may
 17 collect delinquent special assessments and fees as if the board
 18 were a county treasurer pursuant to sections 445.3 and 445.4,
 19 except that the property shall not be subject to sale for
 20 delinquent taxes under chapter 446.

21 b. Special assessments and any applicable fees that are not
 22 delinquent shall not be accelerated as part of any action or
 23 proceeding to collect delinquent special assessments or fees.
 24 Upon the sale of the real property subject to an assessment
 25 contract, any remaining special assessments and applicable fees
 26 shall be collected for the remainder of the assessment contract
 27 term from a subsequent owner of the real property, including
 28 an owner that is the state or any political subdivision of the
 29 state.

30 Sec. .**NEW SECTION. 385.6 Bonds issued.**

31 1. A board may, by resolution, authorize and issue bonds
 32 payable from the proceeds of the special assessments and any
 33 other revenues collected. Such bonds may bear dates, bear
 34 interest at rates not exceeding those permitted by chapter 74A,
 35 mature in one or more installments, be in either coupon or

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1 registered form, carry registration and conversion privileges,
 2 be payable as to principal and interest at times and places,
 3 be subject to terms of redemption prior to maturity with or
 4 without premium, and be in one or more denominations, all as
 5 provided by the resolution of the board authorizing their
 6 issuance.

7 2. Bonds issued under this section shall not constitute a
 8 debt of the state or of the city or county where the property is
 9 located, and the form of such bonds shall contain a statement
 10 to that effect.

11 Sec. .**NEW SECTION. 385.7 Annual reporting.**

12 A board shall submit to the governing body of each
 13 participating county and city an annual report for the
 14 preceding calendar year that includes the following
 15 information:

16 1. A description of each project completed, including the
 17 physical address of the benefitted property, the name or names
 18 of the property owners, an itemized list of the costs incurred
 19 under the project, and the name of any contractors used to
 20 complete the project.

- 21 2. For each project in subsection 1, the amount of special
22 assessments due and the amount collected for the fiscal year
23 ending during the preceding calendar year.
- 24 3. A summary of the public benefits resulting from the
25 projects listed in subsection 1, including, without limitation,
26 estimated cumulative energy savings resulting from the
27 projects.
- 28 4. A description of each assessment contract entered into by
29 the board, including a description of the project and a summary
30 of the assessment schedule.
- 31 5. The amount of administrative costs incurred by the
32 board.>
- 33 3. By renumbering as necessary.

ISENHART of Dubuque

H-8429

- 1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:
- 5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:
- 7 1. By striking everything after the enacting clause and
8 inserting:
- 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:
- 11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for

35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
 2 chapter.
 3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
 4 follows:
 5 **28F.11 Eminent domain.**
 6 Any public agency participating in an agreement authorizing
 7 the joint exercise of governmental powers pursuant to this
 8 chapter may exercise its power of eminent domain to acquire
 9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 13, after line 7 by inserting:
 27 <Sec. __.NOTICE TO CONSUMERS. Following the enactment of
 28 this Act, all utilities shall provide written notice to each
 29 consumer of such utility providing information regarding the
 30 impact of the provisions of this Act and an assessment of any
 31 potential rate increases and charges to the customer's utility
 32 costs.>
 33 3. By renumbering as necessary.

WOLFE of Clinton

H-8430

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 4 by inserting:
 4 <Sec. __. Section 2C.6, Code 2018, is amended to read as
 5 follows:
 6 **2C.6 Deputy — assistant for penal agencies — assistant for**
 7 **sexual harassment complaints.**
 8 1. The ombudsman shall designate one of the members of
 9 the staff as the deputy ombudsman, with authority to act as
 10 ombudsman when the ombudsman is absent from the state or

11 becomes disabled. The ombudsman may delegate to members of the
 12 staff any of the authority or duties of the office except the
 13 duty of formally making recommendations to agencies or reports
 14 to the governor or the general assembly.

15 2. The ombudsman shall appoint an assistant who shall be
 16 primarily responsible for investigating complaints relating to
 17 penal or correctional agencies.

18 3. The ombudsman shall appoint an assistant who shall be
 19 primarily responsible for investigating employee complaints
 20 relating to sexual harassment.

21 Sec. ____ Section 2C.9, Code 2018, is amended by adding the
 22 following new subsection:

23 NEW SUBSECTION. 2A. Receive and investigate employee
 24 complaints concerning sexual harassment, and assist in
 25 effective resolution of such complaints. Notwithstanding any
 26 provision of this chapter to the contrary, for the purposes of
 27 this subsection, “agency” includes the members, committees, or
 28 permanent or temporary staffs of the Iowa general assembly.>

29 2. Page 13, line 13, after <utilities> by inserting <and
 30 public employees>

31 3. By renumbering as necessary.

MASCHER of Johnson

H-8431

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:

5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:

7 1. By striking everything after the enacting clause and
 8 inserting:

9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:

11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,
 15 and industrial waste, facilities used for the conversion of
 16 solid waste to energy, gasworks and facilities useful for
 17 the delivery of natural gas service, and also electric power
 18 facilities constructed within the state of Iowa, except that
 19 hydroelectric power facilities may also be located in the
 20 waters and on the dams of or on land adjacent to either side
 21 of the Mississippi or Missouri river bordering the state of
 22 Iowa, water supply systems, swimming pools or golf courses.
 23 This chapter applies to the acquisition, construction,
 24 reconstruction, ownership, operation, repair, extension,
 25 or improvement of such works or facilities, by a separate
 26 administrative or legal entity created pursuant to chapter

27 28E or chapter 389. When the legal entity created under
 28 this chapter is comprised solely of cities, counties, and
 29 sanitary districts established under chapter 358, or any
 30 combination thereof or any combination of the foregoing with
 31 other public agencies, the entity shall be both a corporation
 32 and a political subdivision with the name under which it was
 33 organized. The legal entity may sue and be sued, contract,
 34 acquire and hold real and personal property necessary for
 35 corporate purposes, adopt a corporate seal and alter the seal

PAGE 2

1 at pleasure, and execute all the powers conferred in this
 2 chapter.
 3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
 4 follows:
 5 **28F.11 Eminent domain.**
 6 Any public agency participating in an agreement authorizing
 7 the joint exercise of governmental powers pursuant to this
 8 chapter may exercise its power of eminent domain to acquire
 9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 6, line 23, by striking <(1)>
 27 3. Page 7, by striking lines 5 through 11.
 28 4. By striking page 7, line 16, through page 9, line 34, and
 29 inserting:
 30 <e. The board shall conduct contested case proceedings
 31 for review of energy efficiency plans, demand response plans,
 32 and budgets filed by gas and electric utilities required to
 33 be rate-regulated under this chapter. The board may approve,
 34 reject, or modify the plans and budgets. Notwithstanding the
 35 provisions of section 17A.19, subsection 5, in an application

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1 for judicial review of the board's decision concerning a
 2 utility's ~~energy efficiency~~ plan or budget, the reviewing

3 court shall not order a stay. Whenever a request to modify a
 4 approved plan or budget is filed subsequently by the office of
 5 consumer advocate or a gas or electric utility required to be
 6 rate-regulated under this chapter, the board shall promptly
 7 initiate a formal proceeding if the board determines that any
 8 reasonable ground exists for investigating the request. The
 9 formal proceeding may be initiated at any time by the board
 10 on its own motion. Implementation of board-approved plans or
 11 budgets shall be considered continuous in nature and shall be
 12 subject to investigation at any time by the board or the office
 13 of the consumer advocate.

14 *f.* Notice to customers of a contested case proceeding for
 15 review of energy efficiency plans, demand response plans, and
 16 budgets shall be in a manner prescribed by the board.

17 *g.* (1) A gas or electric utility required to be
 18 rate-regulated under this chapter may recover, through an
 19 automatic adjustment mechanism filed pursuant to subsection 8,
 20 over a period not to exceed the term of the plan, the costs of
 21 ~~an energy efficiency a plan approved by the board, including~~
 22 ~~amounts for a plan approved prior to July 1, 1996, in a~~
 23 contested case proceeding conducted pursuant to paragraph "e".

24 (2) The board shall not require any of the following:

25 (a) A gas utility to adopt an energy efficiency plan for
 26 gas efficiency that results in projected average annual costs
 27 that exceed six percent of the utility's expected total Iowa
 28 intrastate gross operating revenue from all sources.

29 (b) An electric utility to adopt an energy efficiency plan
 30 for electric efficiency that results in projected average
 31 annual costs that exceed four percent of the utility's expected
 32 total Iowa intrastate gross operating revenue from all sources.

33 (c) A combined gas and electric utility to adopt an energy
 34 efficiency plan for electric efficiency that results in
 35 projected average annual costs that exceed four percent of the

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1 utility's expected total gas and electric Iowa intrastate gross
 2 operating revenue from all sources.

3 (d) A combined gas and electric utility to adopt an energy
 4 efficiency plan for gas efficiency that results in projected
 5 average annual costs that exceed two percent of the utility's
 6 expected total gas and electric Iowa intrastate gross operating
 7 revenue from all sources.

8 (e) A utility to adopt a demand response plan that results
 9 in projected average annual costs that exceed two percent of
 10 the utility's expected total Iowa intrastate gross operating
 11 revenue from all sources.

12 (3) The board shall periodically conduct a contested case
 13 proceeding to evaluate the reasonableness and prudence of the
 14 utility's implementation of an approved energy efficiency plan
 15 and budget. If a utility is not taking all reasonable actions
 16 to cost-effectively implement an approved energy efficiency

17 plan, the board shall not allow the utility to recover from
 18 customers costs in excess of those costs that would be incurred
 19 under reasonable and prudent implementation and shall not allow
 20 the utility to recover future costs at a level other than what
 21 the board determines to be reasonable and prudent. If the
 22 result of a contested case proceeding is a judgment against a
 23 utility, that utility's future level of cost recovery shall be
 24 reduced by the amount by which the programs were found to be
 25 imprudently conducted. ~~The utility shall not represent energy~~
 26 ~~efficiency in customer billings as a separate cost or expense~~
 27 ~~unless the board otherwise approves.~~

28 (4) It is the policy of the state of Iowa to ensure
 29 transparency and access to information to all utility
 30 customers.

31 (a) A utility shall disclose all of the following
 32 information in a customer's billing statement:

33 (i) The portions in each customer's total billing statement
 34 that are used to recover costs for each resource of generation
 35 or capacity to meet the energy needs of retail customers and,

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1 if applicable, the portion that the utility otherwise utilizes
 2 for energy or capacity resources. Energy or capacity resources
 3 include but are not limited to wind, solar, energy efficiency,
 4 including lifetime cumulative savings, demand response, coal,
 5 natural gas, coke, oil, nuclear, biomass, and hydropower.

6 (ii) The portions in each customer's total billing
 7 statement that are used to recover costs for transmission,
 8 distribution, taxes, customer service, rate of return, and any
 9 other expenses.

10 (iii) The information in subparagraph subdivisions (i) and
 11 (ii) shall be, at a minimum, represented in a single pie chart
 12 graphic.

13 (b) A utility shall, in an easily accessible location,
 14 disclose all of the following information on the utility's
 15 internet site, and provide such information to the board for
 16 inclusion on the board's internet site:

17 (i) The net benefits from energy efficiency programs and
 18 demand response programs. Net benefits include both the annual
 19 net benefits from first-year savings in each of the most recent
 20 five years and the cumulative lifetime net benefits for the
 21 most recent year.

22 (ii) The portion of all customer energy and demand use that
 23 is met with each type of utility resource, including energy
 24 efficiency, demand response, wind, solar, coal, natural gas,
 25 coke, oil, nuclear, biomass, hydropower, and any other sources.

26 (iii) If the utility generates energy or energy capacity
 27 from resources not used to meet the needs of retail customers,
 28 the utility shall separately represent the portions of total
 29 generation and capacity from such resources.

30 (iv) A comparison of the information provided in a

31 customer's total billing statement and on its internet site
32 with the state and national average costs, energy efficiency
33 net benefits, and amounts of generation and capacity provided
34 by each resource.>

ISENHART of Dubuque

H-8432

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:
5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:
7 1. By striking everything after the enacting clause and
8 inserting:
9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:
11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

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1 at pleasure, and execute all the powers conferred in this
2 chapter.
3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:
5 **28F.11 Eminent domain.**

6 Any public agency participating in an agreement authorizing
 7 the joint exercise of governmental powers pursuant to this
 8 chapter may exercise its power of eminent domain to acquire
 9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. By striking page 9, line 35, through page 10, line 1.
 27 3. By renumbering as necessary.

R. SMITH of Black Hawk

H-8433

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 2, after line 21 by inserting:
 4 <Sec. NEW SECTION. 68A.405A Reimbursement of sexual
 5 harassment judgments.
 6 Any judgment awarded to a victim as a result of sexual
 7 harassment by a statewide elected official or member of the
 8 general assembly, or the partisan staff of such a person, shall
 9 be paid by the state of Iowa. The state of Iowa shall seek
 10 reimbursement by such a person's candidate committee or the
 11 candidate committee of the party of the partisan staff for any
 12 such judgment paid. The state of Iowa shall seek reimbursement
 13 by the relevant candidate committee for any such judgment paid
 14 prior to the effective date of this Act.>
 15 2. Page 13, after line 11 by inserting:
 16 <Sec. RETROACTIVE APPLICABILITY. The section of this
 17 Act enacting section 68A.405A applies retroactively to all
 18 judgments awarded to a victim as a result of sexual harassment
 19 by a statewide elected official or member of the general
 20 assembly, or the partisan staff of such a person.>
 21 3. Page 13, line 13, after <utilities,> by inserting
 22 <requiring payment of certain sexual harassment judgments by
 23 candidate committees,>
 24 4. Page 13, line 14, after <date> by inserting <and
 25 retroactive applicability>

26 5. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8434

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. By striking page 1, line 1, through page 2, line 21, and
4 inserting:
5 <Amend Senate File 2311, as amended, passed, and reprinted
6 by the Senate, as follows:
7 1. By striking everything after the enacting clause and
8 inserting:
9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
10 amended to read as follows:
11 1. This chapter provides a means for the joint financing
12 by public agencies of works or facilities useful and necessary
13 for the collection, treatment, purification, and disposal
14 in a sanitary manner of liquid and solid waste, sewage,
15 and industrial waste, facilities used for the conversion of
16 solid waste to energy, gasworks and facilities useful for
17 the delivery of natural gas service, and also electric power
18 facilities constructed within the state of Iowa, except that
19 hydroelectric power facilities may also be located in the
20 waters and on the dams of or on land adjacent to either side
21 of the Mississippi or Missouri river bordering the state of
22 Iowa, water supply systems, swimming pools or golf courses.
23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

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1 at pleasure, and execute all the powers conferred in this
2 chapter.
3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:
5 **28F.11 Eminent domain.**
6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire

9 interests in property, under provisions of law then in effect
 10 and applicable to the public agency, for the use of the entity
 11 created to carry out the agreement, provided that the power of
 12 eminent domain is not used to acquire interests in property
 13 which is part of a system of facilities in existence, under
 14 construction, or planned, for the generation, transmission
 15 or sale of electric power, or for the transmission,
 16 transportation, or sale of natural gas. In the exercise
 17 of the power of eminent domain, the public agency shall
 18 proceed in the manner provided by chapter 6B. Any interests
 19 in property acquired are acquired for a public purpose, as
 20 defined in chapter 6A, of the condemning public agency, and the
 21 payment of the costs of the acquisition may be made pursuant
 22 to the agreement or to any separate agreement between the
 23 public agency and the entity or the other public agencies
 24 participating in the entity or any of them. Upon payment of
 25 costs, any property acquired is the property of the entity.>>
 26 2. Page 10, after line 7 by inserting:
 27 <Sec. __. Section 476.6, Code 2018, is amended by adding
 28 the following new subsection:
 29 NEW SUBSECTION. 23. Equal rates. Notwithstanding any
 30 provision of law to the contrary, rate-regulated gas and
 31 electric utilities shall provide equal energy rates, discounts,
 32 and tax credits to all customers, regardless of energy usage.>
 33 3. By renumbering as necessary.

KEARNS of Lee

H-8435

1 Amend the amendment, H-8340, to Senate File 2311, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 1, through page 2, line 21, and
 4 inserting:
 5 <Amend Senate File 2311, as amended, passed, and reprinted
 6 by the Senate, as follows:
 7 1. By striking everything after the enacting clause and
 8 inserting:
 9 <Section 1. Section 28F.1, subsection 1, Code 2018, is
 10 amended to read as follows:
 11 1. This chapter provides a means for the joint financing
 12 by public agencies of works or facilities useful and necessary
 13 for the collection, treatment, purification, and disposal
 14 in a sanitary manner of liquid and solid waste, sewage,
 15 and industrial waste, facilities used for the conversion of
 16 solid waste to energy, gasworks and facilities useful for
 17 the delivery of natural gas service, and also electric power
 18 facilities constructed within the state of Iowa, except that
 19 hydroelectric power facilities may also be located in the
 20 waters and on the dams of or on land adjacent to either side
 21 of the Mississippi or Missouri river bordering the state of
 22 Iowa, water supply systems, swimming pools or golf courses.

23 This chapter applies to the acquisition, construction,
24 reconstruction, ownership, operation, repair, extension,
25 or improvement of such works or facilities, by a separate
26 administrative or legal entity created pursuant to chapter
27 28E or chapter 389. When the legal entity created under
28 this chapter is comprised solely of cities, counties, and
29 sanitary districts established under chapter 358, or any
30 combination thereof or any combination of the foregoing with
31 other public agencies, the entity shall be both a corporation
32 and a political subdivision with the name under which it was
33 organized. The legal entity may sue and be sued, contract,
34 acquire and hold real and personal property necessary for
35 corporate purposes, adopt a corporate seal and alter the seal

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1 at pleasure, and execute all the powers conferred in this
2 chapter.
3 Sec. 2. Section 28F.11, Code 2018, is amended to read as
4 follows:
5 **28F.11 Eminent domain.**
6 Any public agency participating in an agreement authorizing
7 the joint exercise of governmental powers pursuant to this
8 chapter may exercise its power of eminent domain to acquire
9 interests in property, under provisions of law then in effect
10 and applicable to the public agency, for the use of the entity
11 created to carry out the agreement, provided that the power of
12 eminent domain is not used to acquire interests in property
13 which is part of a system of facilities in existence, under
14 construction, or planned, for the generation, transmission
15 or sale of electric power, or for the transmission,
16 transportation, or sale of natural gas. In the exercise
17 of the power of eminent domain, the public agency shall
18 proceed in the manner provided by chapter 6B. Any interests
19 in property acquired are acquired for a public purpose, as
20 defined in chapter 6A, of the condemning public agency, and the
21 payment of the costs of the acquisition may be made pursuant
22 to the agreement or to any separate agreement between the
23 public agency and the entity or the other public agencies
24 participating in the entity or any of them. Upon payment of
25 costs, any property acquired is the property of the entity.>>
26 2. Page 13, after line 7 by inserting:
27 <Sec. __.STUDY OF ENERGY POLICY IMPACT. The Iowa
28 utilities board, in consultation with relevant stakeholder
29 groups, shall conduct a long-term study on the energy policy
30 impact of the enactment of this Act with respect to minority
31 persons, rural residents, elderly persons, low-income persons,
32 and disabled persons. The board shall submit a report to the
33 general assembly containing the results of the study no later
34 than January 19, 2019.>
35 3. Page 13, line 14, after <support,> by inserting <

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- 1 providing for a study of energy policy impact,>
- 2 4. By renumbering as necessary.

BENNETT of Linn

H-8436

1 Amend the amendment, H-8269, to Senate File 359, as passed by
 2 the Senate, as follows:

3 1. By striking page 1, line 3, through page 3, line 23, and
 4 inserting:

5 <DIVISION I

6 FETAL BODY PARTS

7 Section 1.NEW SECTION. **146D.1 Fetal body parts — actions**
 8 **prohibited — penalties.**

9 1. A person shall not knowingly acquire, provide, receive,
 10 otherwise transfer, or use a fetal body part in this state,
 11 regardless of whether the acquisition, provision, receipt,
 12 transfer, or use is for valuable consideration.

13 2. Subsection 1 shall not apply to any of the following:

14 a. Diagnostic or remedial tests, procedures, or observations
 15 which have the sole purpose of determining the life or health
 16 of the fetus in order to provide that information to the
 17 pregnant woman or to preserve the life or health of the fetus
 18 or pregnant woman.

19 b. The actions of a person taken in furtherance of the final
 20 disposition of a fetal body part.

21 c. The pathological study of body tissue, including genetic
 22 testing, for diagnostic or forensic purposes.

23 d. A fetal body part if the fetal body part results from
 24 a spontaneous termination of pregnancy or stillbirth and is
 25 willingly donated for the purpose of medical research.

26 3. A person who violates this section is guilty of a class
 27 "C" felony.

28 4. For the purposes of this section:

29 a. "Abortion" means as defined in section 146.1.

30 b. "Fetal body part" means a cell, tissue, organ, or other
 31 part of a fetus that is terminated by an abortion. "Fetal body
 32 part" does not include any of the following:

33 (1) Cultured cells or cell lines derived from a spontaneous
 34 termination of pregnancy or stillbirth and willingly donated
 35 for the purposes of medical research.

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1 (2) A cell, tissue, organ, or other part of a fetus that is
 2 terminated by an abortion that occurred prior to July 1, 2018.

3 (3) All cells and tissues external to the fetal body proper.

4 c. "Final disposition" means the disposition of fetal
 5 body parts by burial, interment, entombment, cremation, or

6 incineration.

7 *d. "Valuable consideration"* means any payment including but
8 not limited to payment associated with the transportation,
9 processing, preservation, quality control, or storage of fetal
10 body parts.

11 DIVISION ____

12 ABORTION PREREQUISITES AND PROHIBITIONS — FETAL HEARTBEAT

13 Sec. ____ Section 146A.1, subsections 2 and 6, Code 2018,
14 are amended to read as follows:

15 2. Compliance with the prerequisites of this section shall
16 not apply to ~~any of the following:~~

17 ~~*a.* An abortion performed to save the life of a pregnant
18 woman.~~

19 ~~*b.* An abortion performed in a medical emergency.~~

20 ~~*c.* The performance of a medical procedure by a physician
21 that in the physician's reasonable medical judgment is designed
22 to or intended to prevent the death or to preserve the life of
23 the pregnant woman.~~

24 6. As used in this section, ~~"unborn child";~~

25 ~~*a.* "Medical emergency" means a situation in which an
26 abortion is performed to preserve the life of the pregnant
27 woman whose life is endangered by a physical disorder, physical
28 illness, or physical injury, including a life-endangering
29 physical condition caused by or arising from the pregnancy, but
30 not including psychological conditions, emotional conditions,
31 familial conditions, or the woman's age; or when continuation
32 of the pregnancy will create a serious risk of substantial
33 and irreversible impairment of a major bodily function of the
34 pregnant woman.~~

35 ~~*b.* "Unborn child" means an individual organism of the~~

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1 species homo sapiens from fertilization to live birth.

2 Sec. ____ **NEW SECTION. 146C.1 Definitions.**

3 As used in this chapter, unless the context otherwise
4 requires:

5 1. "*Abortion*" means the termination of a human pregnancy
6 with the intent other than to produce a live birth or to remove
7 a dead fetus.

8 2. "*Fetal heartbeat*" means cardiac activity, the steady and
9 repetitive rhythmic contraction of the fetal heart within the
10 gestational sac.

11 3. "*Medical emergency*" means the same as defined in section
12 146A.1.

13 4. "*Medically necessary*" means any of the following:

14 *a.* The pregnancy is the result of a rape which is reported
15 within forty-five days of the incident to a law enforcement
16 agency or to a public or private health agency which may
17 include a family physician.

18 *b.* The pregnancy is the result of incest which is reported
19 within one hundred forty days of the incident to a law

20 enforcement agency or to a public or private health agency
 21 which may include a family physician.
 22 c. Any spontaneous abortion, commonly known as a
 23 miscarriage, if not all of the products of conception are
 24 expelled.
 25 d. The attending physician certifies that the fetus has a
 26 fetal abnormality that in the physician's reasonable medical
 27 judgment is incompatible with life.
 28 5. "Physician" means a person licensed under chapter 148.
 29 6. "Reasonable medical judgment" means a medical judgment
 30 made by a reasonably prudent physician who is knowledgeable
 31 about the case and the treatment possibilities with respect to
 32 the medical conditions involved.
 33 7. "Unborn child" means the same as defined in section
 34 146A.1.
 35 Sec. .NEW SECTION. **146C.2 Abortion prohibited** —

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1 **detectable fetal heartbeat.**
 2 1. Except in the case of a medical emergency or when the
 3 abortion is medically necessary, a physician shall not perform
 4 an abortion unless the physician has first complied with the
 5 prerequisites of chapter 146A and has tested the pregnant
 6 woman as specified in this subsection, to determine if a fetal
 7 heartbeat is detectable.
 8 a. In testing for a detectable fetal heartbeat, the
 9 physician shall perform an abdominal ultrasound, necessary to
 10 detect a fetal heartbeat according to standard medical practice
 11 and including the use of medical devices, as determined by
 12 standard medical practice and specified by rule of the board
 13 of medicine.
 14 b. Following the testing of the pregnant woman for a
 15 detectable fetal heartbeat, the physician shall inform the
 16 pregnant woman, in writing, of all of the following:
 17 (1) Whether a fetal heartbeat was detected.
 18 (2) That if a fetal heartbeat was detected, an abortion is
 19 prohibited.
 20 c. Upon receipt of the written information, the pregnant
 21 woman shall sign a form acknowledging that the pregnant woman
 22 has received the information as required under this subsection.
 23 2.a. A physician shall not perform an abortion upon a
 24 pregnant woman when it has been determined that the unborn
 25 child has a detectable fetal heartbeat, unless, in the
 26 physician's reasonable medical judgment, a medical emergency
 27 exists, or when the abortion is medically necessary.
 28 b. Notwithstanding paragraph "a", if a physician determines
 29 that the probable postfertilization age, as defined in
 30 section 146B.1, of the unborn child is twenty or more weeks,
 31 the physician shall not perform an abortion upon a pregnant
 32 woman when it has been determined that the unborn child
 33 has a detectable fetal heartbeat, unless in the physician's

34 reasonable medical judgment the pregnant woman has a condition
 35 which the physician deems a medical emergency, as defined in

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1 section 146B.1, or the abortion is necessary to preserve the
 2 life of an unborn child.
 3 3. A physician shall retain in the woman's medical record
 4 all of the following:
 5 a. Documentation of the testing for a fetal heartbeat
 6 as specified in subsection 1 and the results of the fetal
 7 heartbeat test.
 8 b. The pregnant woman's signed form acknowledging that
 9 the pregnant woman received the information as required under
 10 subsection 1.
 11 4. This section shall not be construed to impose civil
 12 or criminal liability on a woman upon whom an abortion is
 13 performed in violation of this section.
 14 5. The board of medicine shall adopt rules pursuant to
 15 chapter 17A to administer this section.>
 16 2. Title page, line 1, by striking <certain actions
 17 regarding fetal body parts> and inserting <and requiring
 18 certain actions relating to a fetus>

LUNDGREN of Dubuque

H-8437

1 Amend House File 2492 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <DIVISION I
 4 FY 2018-2019 APPROPRIATIONS>
 5 2. Page 10, by striking lines 10 through 17.
 6 3. Page 16, after line 7 by inserting: <As a condition
 7 of receiving the appropriation in this subsection, the
 8 commissioner of the department of public safety shall appoint
 9 the administrator of the fire service training bureau of the
 10 division of state fire marshal as provided in section 100B.7.>
 11 4. Page 20, line 9, by striking <sections> and inserting
 12 <section>
 13 5. Page 20, by striking lines 10 through 29.
 14 6. By striking page 21, line 10, through page 22, line 3.
 15 7. Page 22, after line 18 by inserting:
 16 <Sec. .NEW SECTION. 719.9 Use of unmanned aerial
 17 vehicle — prohibitions.
 18 1. As used in this section:
 19 a. "Facility" means a county jail, municipal holding
 20 facility, secure facility for the detention or custody
 21 of juveniles, community-based correctional facility, or
 22 institution under the management of the department of
 23 corrections.
 24 b. "Unmanned aerial vehicle" means a vehicle or device

25 that uses aerodynamic forces to achieve flight and is piloted
26 remotely.

27 2. A person shall not operate an unmanned aerial vehicle
28 knowing that the unmanned aerial vehicle is operating in, on,
29 or above a facility and any contiguous real property comprising
30 the surrounding grounds of the facility, unless the unmanned
31 aerial vehicle is operated by a law enforcement agency or the
32 person has permission from the authority in charge of the
33 facility to operate an unmanned aerial vehicle in, on, or above
34 such facility.

35 3. This section does not apply to an unmanned aerial vehicle

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1 operating in transit for commercial purposes in compliance
2 with the federal aviation administration regulations,
3 authorizations, or exemptions.

4 4. A person who violates this section commits a class "D"
5 felony.>

6 8. Page 22, after line 28 by inserting:

7 <DIVISION II

8 PUBLIC SAFETY ASSESSMENT PILOT PROGRAM

9 Sec. NEW SECTION. **PUBLIC SAFETY ASSESSMENT PILOT**

10 **PROGRAM**. The public safety assessment shall not be utilized
11 in pretrial hearings when determining whether to detain or
12 release a defendant before trial, and the use of the public
13 safety assessment pilot program shall be terminated as of the
14 effective date of this section of this division of this Act,
15 until such time the use of the public safety assessment has
16 been specifically authorized by the general assembly.

17 Sec. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.>

19 9. Title page, line 1, by striking <system> by inserting
20 <system, and including effective date provisions>

21 10. By renumbering, redesignating, and correcting internal
22 references as necessary.

WORTHAN of Buena Vista

H-8438

1 Amend House File 2495 as follows:

2 1. Page 1, line 23, by striking <178,423,415> and inserting
3 <177,574,797>

4 2. Page 3, by striking lines 12 through 31.

WORTHAN of Buena Vista

H-8439

1 Amend House File 2377, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. Page 1, before line 3 by inserting:
 4 <Sec. ___. Section 124.550, subsection 2, Code 2018, is
 5 amended to read as follows:
 6 2. “*Prescribing practitioner*” means a practitioner who
 7 has prescribed or is contemplating the authorization of
 8 a prescription for the patient about whom information is
 9 requested. “*Prescribing practitioner*” does not include a
 10 licensed veterinarian.
 11 2. Page 1, line 5, by striking <3.> and inserting <4.>
 12 3. Page 1, line 9, by striking <a.> and inserting <a.>
 13 4. Page 2, line 3, before <practitioner> by inserting
 14 <prescribing>
 15 5. Page 2, line 6, before <practitioner> by inserting
 16 <prescribing>
 17 6. Page 2, line 9, by striking <rule> and inserting <rules
 18 adopted by the prescribing practitioner’s licensing board>
 19 7. Page 13, line 24, by striking <g.> and inserting <h.>
 20 8. Page 16, line 4, by striking <j.> and inserting <k.>
 21 9. Page 16, line 22, by striking <and dentistry> and
 22 inserting <**dentistry, podiatry, and physician assistants**>
 23 10. Page 16, by striking lines 23 through 32 and inserting:
 24 <1. The board of medicine, board of dentistry, board of
 25 physician assistants, board of podiatry, and board of nursing
 26 shall establish rules requiring a person licensed pursuant to
 27 section 148.3, 148C.3, 149.3, or 152.6 or chapter 153 who has
 28 prescribed opioids to a patient during the previous licensure
 29 cycle to receive continuing education credits regarding the
 30 United States centers for disease control and prevention
 31 guideline for prescribing opioids for chronic pain, including
 32 recommendations on limitations on dosages and the length of
 33 prescriptions, risk factors for abuse, and nonopioid and
 34 nonpharmacologic therapy options, as a condition of license
 35 renewal. Each licensing board shall have the authority

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- 1 to determine how often a licensee must receive continuing
 2 education credits.
 3 2. The rules established pursuant to this section shall
 4 include the option for a licensee to attest as part of the
 5 license renewal process that the licensee is not subject to the
 6 requirement to receive continuing education credits pursuant
 7 to this section, due to the fact that the licensee did not
 8 prescribe opioids to a patient during the previous licensure
 9 cycle.>
 10 11. Page 16, before line 33 by inserting:
 11 <Sec. ___.RESCISSION OF ADMINISTRATIVE RULES.
 12 1. 653 Iowa administrative code, rule 11.4, subrule (1),
 13 paragraph “d”, is rescinded.
 14 2. As soon as practicable, the Iowa administrative code
 15 editor shall remove the language of the Iowa administrative
 16 rule referenced in subsection 1 of this section from the Iowa

17 administrative code.>
 18 12. By renumbering as necessary.

SENATE AMENDMENT

H-8440

1 Amend House File 2492 as follows:
 2 1. Page 22, by striking lines 6 through 28 and inserting:
 3 <Sec. .**NEW SECTION. 80.46 Public safety support trust**
 4 **fund.**
 5 1. A public safety support trust fund is established in
 6 the state treasury under the control of the department. The
 7 department may receive and accept donations, grants, loans, and
 8 contributions in accordance with section 565.3 from any public
 9 or private source for deposit into the trust fund. Moneys
 10 credited to the trust fund are appropriated to the department
 11 for the purpose of supporting the activities of the department.
 12 Moneys deposited into the fund shall not be used or transferred
 13 to develop, solicit, or implement the privatization of
 14 any department activities, including the activities of the
 15 department of corrections.
 16 2. Notwithstanding section 8.33, moneys in the trust fund
 17 shall not revert. Notwithstanding section 12C.7, subsection
 18 2, interest or earnings on moneys deposited in the trust fund
 19 shall be credited to the trust fund.
 20 Sec. . Section 904.310A, Code 2018, is amended by
 21 striking the section and inserting in lieu thereof the
 22 following:
 23 **904.310A Information or materials — distribution.**
 24 1. Funds appropriated to the department or other funds made
 25 available to the department shall not be used to distribute
 26 or make available any commercially published information or
 27 material to an inmate when such information or material is
 28 sexually explicit or features nudity.
 29 2. The department shall adopt rules pursuant to chapter 17A
 30 to administer this section.>

KEARNS of Lee

H-8441

1 Amend the amendment, H-8269, to Senate File 359, as passed by
 2 the Senate, as follows:
 3 1. By striking page 1, line 1, through page 3, line 23, and
 4 inserting:
 5 <Amend Senate File 359, as passed by the Senate, as follows:
 6 . By striking everything after the enacting clause and
 7 inserting:
 8 **<DIVISION I**
 9 **FETAL BODY PARTS**
 10 Section 1.**NEW SECTION. 146D.1 Fetal body parts — actions**

11 **prohibited — penalties.**

12 1. A person shall not knowingly acquire, provide, receive,
13 otherwise transfer, or use a fetal body part in this state,
14 regardless of whether the acquisition, provision, receipt,
15 transfer, or use is for valuable consideration.

16 2. Subsection 1 shall not apply to any of the following:

17 a. Diagnostic or remedial tests, procedures, or observations
18 which have the sole purpose of determining the life or health
19 of the fetus in order to provide that information to the
20 pregnant woman or to preserve the life or health of the fetus
21 or pregnant woman.

22 b. The actions of a person taken in furtherance of the final
23 disposition of a fetal body part.

24 c. The pathological study of body tissue, including genetic
25 testing, for diagnostic or forensic purposes.

26 d. A fetal body part if the fetal body part results from
27 a spontaneous termination of pregnancy or stillbirth and is
28 willingly donated for the purpose of medical research.

29 3. A person who violates this section is guilty of a class
30 “C” felony.

31 4. For the purposes of this section:

32 a. “*Abortion*” means as defined in section 146.1.

33 b. “*Fetal body part*” means a cell, tissue, organ, or other
34 part of a fetus that is terminated by an abortion. “*Fetal body*
35 *part*” does not include any of the following:

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1 (1) Cultured cells or cell lines derived from a spontaneous
2 termination of pregnancy or stillbirth and willingly donated
3 for the purposes of medical research.

4 (2) A cell, tissue, organ, or other part of a fetus that is
5 terminated by an abortion that occurred prior to July 1, 2018.

6 (3) All cells and tissues external to the fetal body proper.

7 c. “*Final disposition*” means the disposition of fetal
8 body parts by burial, interment, entombment, cremation, or
9 incineration.

10 d. “*Valuable consideration*” means any payment including but
11 not limited to payment associated with the transportation,
12 processing, preservation, quality control, or storage of fetal
13 body parts.

14 **DIVISION II**

15 **ABORTION PREREQUISITES AND PROHIBITIONS — FETAL HEARTBEAT**

16 Sec. 2. Section 146A.1, subsections 2 and 6, Code 2018, are
17 amended to read as follows:

18 2. Compliance with the prerequisites of this section shall
19 not apply to ~~any of the following:~~

20 ~~a. An abortion performed to save the life of a pregnant~~
21 ~~woman.~~

22 ~~b. An an abortion performed in a medical emergency.~~

23 ~~c. The performance of a medical procedure by a physician~~
24 ~~that in the physician’s reasonable medical judgment is designed~~

25 ~~to or intended to prevent the death or to preserve the life of~~
 26 ~~the pregnant woman.~~

27 6. As used in this section, ~~“unborn child”;~~
 28 a. “Medical emergency” means a situation in which an
 29 abortion is performed to preserve the life of the pregnant
 30 woman whose life is endangered by a physical disorder, physical
 31 illness, or physical injury, including a life-endangering
 32 physical condition caused by or arising from the pregnancy, but
 33 not including psychological conditions, emotional conditions,
 34 familial conditions, or the woman’s age; or when continuation
 35 of the pregnancy will create a serious risk of substantial

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1 and irreversible impairment of a major bodily function of the
 2 pregnant woman.

3 b. “Unborn child” means an individual organism of the
 4 species homo sapiens from fertilization to live birth.

5 Sec. 3.NEW SECTION. 146C.1 Definitions.

6 As used in this chapter, unless the context otherwise
 7 requires:

8 1. “Abortion” means the termination of a human pregnancy
 9 with the intent other than to produce a live birth or to remove
 10 a dead fetus.

11 2. “Fetal heartbeat” means cardiac activity, the steady and
 12 repetitive rhythmic contraction of the fetal heart within the
 13 gestational sac.

14 3. “Medical emergency” means the same as defined in section
 15 146A.1.

16 4. “Medically necessary” means any of the following:

17 a. The pregnancy is the result of a rape which is reported
 18 within forty-five days of the incident to a law enforcement
 19 agency or to a public or private health agency which may
 20 include a family physician.

21 b. The pregnancy is the result of incest which is reported
 22 within one hundred forty days of the incident to a law
 23 enforcement agency or to a public or private health agency
 24 which may include a family physician.

25 c. Any spontaneous abortion, commonly known as a
 26 miscarriage, if not all of the products of conception are
 27 expelled.

28 d. The attending physician certifies that the fetus has a
 29 fetal abnormality that in the physician’s reasonable medical
 30 judgment is incompatible with life.

31 5. “Physician” means a person licensed under chapter 148.

32 6. “Reasonable medical judgment” means a medical judgment
 33 made by a reasonably prudent physician who is knowledgeable
 34 about the case and the treatment possibilities with respect to
 35 the medical conditions involved.

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1 7. *“Unborn child”* means the same as defined in section
2 146A.1.
3 Sec. 4.NEW SECTION. **146C.2 Abortion prohibited —**
4 **detectable fetal heartbeat.**
5 1. Except in the case of a medical emergency or when the
6 abortion is medically necessary, a physician shall not perform
7 an abortion unless the physician has first complied with the
8 prerequisites of chapter 146A and has tested the pregnant
9 woman as specified in this subsection, to determine if a fetal
10 heartbeat is detectable.
11 a. In testing for a detectable fetal heartbeat, the
12 physician shall perform an abdominal ultrasound, necessary to
13 detect a fetal heartbeat according to standard medical practice
14 and including the use of medical devices, as determined by
15 standard medical practice and specified by rule of the board
16 of medicine.
17 b. Following the testing of the pregnant woman for a
18 detectable fetal heartbeat, the physician shall inform the
19 pregnant woman, in writing, of all of the following:
20 (1) Whether a fetal heartbeat was detected.
21 (2) That if a fetal heartbeat was detected, an abortion is
22 prohibited.
23 c. Upon receipt of the written information, the pregnant
24 woman shall sign a form acknowledging that the pregnant woman
25 has received the information as required under this subsection.
26 2.a. A physician shall not perform an abortion upon a
27 pregnant woman when it has been determined that the unborn
28 child has a detectable fetal heartbeat, unless, in the
29 physician’s reasonable medical judgment, a medical emergency
30 exists, or when the abortion is medically necessary.
31 b. Notwithstanding paragraph “a”, if a physician determines
32 that the probable postfertilization age, as defined in
33 section 146B.1, of the unborn child is twenty or more weeks,
34 the physician shall not perform an abortion upon a pregnant
35 woman when it has been determined that the unborn child

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1 has a detectable fetal heartbeat, unless in the physician’s
2 reasonable medical judgment the pregnant woman has a condition
3 which the physician deems a medical emergency, as defined in
4 section 146B.1, or the abortion is necessary to preserve the
5 life of an unborn child.
6 3. A physician shall retain in the woman’s medical record
7 all of the following:
8 a. Documentation of the testing for a fetal heartbeat
9 as specified in subsection 1 and the results of the fetal
10 heartbeat test.
11 b. The pregnant woman’s signed form acknowledging that
12 the pregnant woman received the information as required under

13 subsection 1.

14 4. This section shall not be construed to impose civil
15 or criminal liability on a woman upon whom an abortion is
16 performed in violation of this section.

17 5. The board of medicine shall adopt rules pursuant to
18 chapter 17A to administer this section.>

19 ____. Title page, line 1, by striking <certain actions
20 regarding fetal body parts> and inserting <and requiring
21 certain actions relating to a fetus>>

LUNDGREN of Dubuque

H-8442

1 Amend the amendment, H-8437, to House File 2492 as follows:

2 1. Page 1, by striking lines 2 through 4.

3 2. Page 2, by striking lines 7 through 20.

OLSON of Polk

H-8443

1 Amend House File 2492 as follows:

2 1. Page 10, by striking lines 10 through 17 and inserting:

3 <6. The public safety assessment shall not be utilized
4 in pretrial hearings when determining whether to detain or
5 release a defendant before trial, and the use of the public
6 safety assessment pilot program shall be terminated as of the
7 effective date of this subsection, until such time the use of
8 the public safety assessment has been specifically authorized
9 by the general assembly.>

10 2. Page 16, after line 7 by inserting:

11 <s a condition of receiving the appropriation in this
12 subsection, the commissioner of the department of public safety
13 shall appoint the administrator of the fire service training
14 bureau of the division of state fire marshal as provided in
15 section 100B.7.>

16 3. Page 20, line 9, by striking <sections> and inserting
17 <section>

18 4. Page 20, by striking lines 10 through 29.

19 5. By striking page 21, line 10, through page 22, line 3.

20 6. Page 22, after line 18 by inserting:

21 <Sec. __. **NEW SECTION. 719.9 Use of unmanned aerial**
22 **vehicle — prohibitions.**

23 1. As used in this section:

24 a. *“Facility”* means a county jail, municipal holding
25 facility, secure facility for the detention or custody
26 of juveniles, community-based correctional facility, or
27 institution under the management of the department of
28 corrections.

29 b. *“Unmanned aerial vehicle”* means a vehicle or device
30 that uses aerodynamic forces to achieve flight and is piloted

31 remotely.

32 2. A person shall not operate an unmanned aerial vehicle
33 knowing that the unmanned aerial vehicle is operating in, on,
34 or above a facility and any contiguous real property comprising
35 the surrounding grounds of the facility, unless the unmanned

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1 aerial vehicle is operated by a law enforcement agency or the
2 person has permission from the authority in charge of the
3 facility to operate an unmanned aerial vehicle in, on, or above
4 such facility.

5 3. This section does not apply to an unmanned aerial
6 vehicle while operating for commercial use in compliance with
7 federal aviation administration regulations, authorizations,
8 or exemptions.

9 4. A person who violates this section commits a class "D"
10 felony.>

11 7. Page 22, after line 28 by inserting:

12 <Sec. __.EFFECTIVE DATE. The following, being deemed of
13 immediate importance, takes effect upon enactment:

14 The portion of this Act amending 2017 Iowa Acts, chapter 167,
15 section 31, prohibiting the utilization of the public safety
16 assessment in pretrial hearings.>

17 8. Title page, line 1, by striking <system> by inserting
18 <system, and including effective date provisions>

19 9. By renumbering, redesignating, and correcting internal
20 references as necessary.

WORTHAN of Buena Vista

H-8444

1 Amend the amendment, H-8443, to House File 2492 as follows:

2 1. Page 1, by striking lines 2 through 9 and inserting:

3 <__. Page 10, by striking lines 10 through 17.>

4 2. Page 2, by striking lines 11 through 18.

OLSON of Polk

H-8445

1 Amend House File 2496 as follows:

2 1. Page 19, after line 19 by inserting:

3 <The recycling and reuse center shall review beverage
4 container control programs and requirements under chapter 455C
5 and shall submit its findings and recommendations in a written
6 report to the general assembly by December 14, 2018.>

McKEAN of Jones

H-8446

1 Amend the amendment, H-8269, to Senate File 359, as passed by
2 the Senate, as follows:

3 1. Page 3, after line 19 by inserting:

4 <DIVISION ____

5 PRESCRIPTION CONTRACEPTIVE COVERAGE

6 Sec. ____ Section 514C.19, Code 2018, is amended to read as
7 follows:

8 **514C.19 Prescription contraceptive coverage.**

9 1. For purposes of this section:

10 a. "Dispense" means the same as defined in section 155A.3.

11 b. "Health care professional" means the same as defined in
12 section 514J.102.

13 c. "Prescription contraceptive" means a medically acceptable
14 oral drug or contraceptive patch or ring that is used to
15 prevent pregnancy, and requires a prescription.

16 1. 2. Notwithstanding the uniformity of treatment
17 requirements of section 514C.6, a group policy, or contract, or
18 plan providing for third-party payment or prepayment of health
19 or medical expenses shall not do either of the following:

20 a. Exclude or restrict benefits for a prescription
21 contraceptive drugs or prescription contraceptive devices which
22 prevent conception and which are contraceptive that is approved
23 by the United States food and drug administration, or a generic
24 equivalent equivalent approved as substitutable a substitute
25 by the United States food and drug administration, if such
26 policy, or contract, or plan provides benefits a benefit for
27 any other outpatient prescription drugs drug or devices device.
28 Such policy, contract, or plan shall provide for payment to a
29 health care professional that dispenses any of the following to
30 a covered person:

31 (1) A three-month supply of a prescription contraceptive
32 the first time the prescription contraceptive is dispensed to
33 the covered person.

34 (2) A twelve-month supply of a prescription contraceptive
35 for any subsequent dispensing of the same prescription

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1 contraceptive to the covered person.

2 (3) A three-month supply of a prescription vaginal
3 contraceptive ring.

4 b. Exclude or restrict benefits for an outpatient
5 contraceptive services which are service that is provided
6 for the purpose of preventing conception if such policy,
7 or contract, or plan provides benefits a benefit for any
8 other outpatient services service provided by a health care
9 professional.

10 2. 3. A person who provides a group policy, or contract, or
11 plan providing for third-party payment or prepayment of health
12 or medical expenses which is subject to subsection 1 2 shall

13 not do any of the following:

- 14 a. Deny to an individual eligibility, or continued
 15 eligibility, to enroll in or to renew coverage under the terms
 16 of the policy, ~~or contract,~~ or plan because of the individual's
 17 use or potential use of ~~such a~~ prescription contraceptive
 18 ~~drugs drug~~ or devices device, or use or potential use of an
 19 outpatient contraceptive ~~services service~~.
 20 b. Provide a monetary payment or rebate to a covered
 21 individual to encourage such individual to accept less than the
 22 minimum benefits provided for under subsection ~~1~~ 2.
 23 c. Penalize or otherwise reduce or limit the reimbursement
 24 of a health care professional because such professional
 25 prescribes a contraceptive ~~drugs drug~~ or devices device, or
 26 provides a contraceptive ~~services service~~.
 27 d. Provide ~~incentives~~ an incentive, monetary or otherwise,
 28 to a health care professional to induce such professional to
 29 withhold ~~from a covered individual~~ a contraceptive ~~drugs drug~~
 30 or devices device, or a contraceptive ~~services service~~ from a
 31 covered individual.
 32 ~~3.~~ 4. This section shall not be construed to prevent a
 33 third-party payor from including deductibles, coinsurance, or
 34 copayments under the policy, ~~or contract,~~ or plan as follows:
 35 a. A deductible, coinsurance, or copayment for ~~benefits a~~

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- 1 benefit for a prescription contraceptive ~~drugs drug~~ shall not
 2 be greater than such deductible, coinsurance, or copayment for
 3 any outpatient prescription drug for which coverage under the
 4 policy, ~~or contract,~~ or plan is provided.
 5 b. A deductible, coinsurance, or copayment for ~~benefits a~~
 6 benefit for a prescription contraceptive ~~devices device~~ shall
 7 not be greater than such deductible, coinsurance, or copayment
 8 for any outpatient prescription device for which coverage under
 9 the policy, ~~or contract,~~ or plan is provided.
 10 c. A deductible, coinsurance, or copayment for ~~benefits a~~
 11 benefit for an outpatient contraceptive ~~services service~~ shall
 12 not be greater than such deductible, coinsurance, or copayment
 13 for any outpatient health care ~~services service~~ for which
 14 coverage under the policy, ~~or contract,~~ or plan is provided.
 15 ~~4.~~ 5. This section shall not be construed to require
 16 a third-party payor under a policy, ~~or contract,~~ or plan
 17 to provide ~~benefits a~~ benefit for an experimental or
 18 investigational contraceptive ~~drugs drug~~ or devices device, or
 19 experimental or investigational contraceptive ~~services service~~,
 20 except to the extent that such policy, ~~or contract,~~ or plan
 21 provides coverage for any other experimental or investigational
 22 outpatient prescription ~~drugs drug~~ or devices device, or
 23 experimental or investigational outpatient health care ~~services~~
 24 service.
 25 ~~5.~~ 6. This section shall not be construed to limit or
 26 otherwise discourage ~~the~~ any of the following:

27 a. The use of a generic equivalent drugs drug approved
 28 by the United States food and drug administration, whenever
 29 if available and appropriate. This section, when a brand
 30 name drug is requested by a covered individual and a suitable
 31 generic equivalent is available and appropriate, shall not be
 32 construed to prohibit a
 33 b. A third-party payor from requiring the a covered
 34 individual to pay a deductible, coinsurance, or copayment
 35 consistent with subsection 3 4, in addition to the difference

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1 of the cost of the brand name drug less the maximum covered
 2 amount for a generic equivalent.
 3 7. This section shall not be construed to require a
 4 third-party payor to provide payment to a health care
 5 professional for dispensing a prescription contraceptive to
 6 replace a prescription contraceptive that has been dispensed
 7 to a covered person and that has been misplaced, stolen, or
 8 destroyed. This section shall not be construed to require a
 9 third-party payor to replace covered prescriptions that are
 10 misplaced, stolen, or destroyed.
 11 ~~6. 8.~~ A person who provides an individual policy, ~~or~~
 12 contract, ~~or plan~~ providing for third-party payment or
 13 prepayment of health or medical expenses shall make available
 14 a coverage provision that satisfies the requirements in
 15 subsections ~~1 2~~ through ~~5 7~~ in the same manner as such
 16 requirements are applicable to a group policy, ~~or contract, or~~
 17 ~~plan~~ under those subsections. The policy, ~~or contract, or plan~~
 18 shall provide that the individual policyholder may reject the
 19 coverage provision at the option of the policyholder.
 20 7. 9.a. This section ~~applies shall apply~~ to the following
 21 classes of third-party payment provider ~~policies, contracts, or~~
 22 ~~policies and plans~~ delivered, issued for delivery, continued,
 23 or renewed in this state on or after July 1, ~~2000 2018~~:
 24 (1) Individual or group accident and sickness insurance
 25 providing coverage on an expense-incurred basis.
 26 (2) An individual or group hospital or medical service
 27 contract issued pursuant to chapter 509, 514, or 514A.
 28 (3) An individual or group health maintenance organization
 29 contract regulated under chapter 514B.
 30 (4) Any other entity engaged in the business of insurance,
 31 risk transfer, or risk retention, which is subject to the
 32 jurisdiction of the commissioner.
 33 (5) A plan established pursuant to chapter 509A for public
 34 employees.
 35 b. This section shall not apply to accident-only,

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1 specified disease, short-term hospital or medical, hospital
 2 confinement indemnity, credit, dental, vision, Medicare

3 supplement, long-term care, basic hospital and medical-surgical
 4 expense coverage as defined by the commissioner, disability
 5 income insurance coverage, coverage issued as a supplement
 6 to liability insurance, workers' compensation or similar
 7 insurance, or automobile medical payment insurance.>
 8 2. Page 3, line 22, after <fetus> by inserting <and
 9 contraception>

HINSON of Linn

H-8447

1 Amend Senate File 2316, as passed by the Senate, as follows:
 2 1. Page 14, after line 1 by inserting:
 3 <Section 1. Section 513B.2, subsections 10 and 18, Code
 4 2018, are amended to read as follows:
 5 10. "*Eligible employee*" means an employee who works on a
 6 full-time basis and has a normal workweek of thirty or more
 7 hours. The term includes a sole proprietor, a partner of
 8 a partnership, and an independent contractor, if the sole
 9 proprietor, partner, or independent contractor is included
 10 as an employee under health insurance coverage of a small
 11 employer, but does not include an employee who works on a
 12 part-time, temporary, or substitute basis. An internal revenue
 13 service form W-2 wage and tax statement shall not be required
 14 to qualify as an eligible employee under this subsection.
 15 18. "*Small employer*" means a person, other than a
 16 limited liability company, a partner of a partnership, an S
 17 corporation, a C corporation, or an independent contractor,
 18 actively engaged in business who, on at least fifty percent
 19 of the employer's working days during the preceding year,
 20 employed at least one and not more than fifty full-time
 21 equivalent eligible employees. A limited liability company, a
 22 partner of a partnership, an S corporation, a C corporation,
 23 or an independent contractor shall not be required to employ
 24 an eligible employee to qualify as a small employer under
 25 this subsection. "Small employer" includes a self-employed
 26 individual. In determining the number of eligible employees,
 27 companies which are affiliated companies or which are eligible
 28 to file a combined tax return for purposes of state taxation
 29 are considered one employer.>
 30 2. Title page, by striking lines 1 and 2 and inserting <An
 31 Act relating to transactions by domestic stock insurers and
 32 small employer group health insurers.>
 33 3. By renumbering as necessary.

PETTENGILL of Benton

H-8448

1 Amend House File 2497 as follows:
 2 1. Page 5, after line 28 by inserting:

3 <f. To a city to renovate and remodel property formerly
4 utilized for purposes of the Iowa braille and sight saving
5 school for purposes of providing a center for community and
6 other public services:
7 FY 2018-2019:
8 \$ 1,000,000
9 As a condition of receiving funding pursuant to this
10 lettered paragraph, the city shall acquire the property
11 to be renovated and remodeled and shall provide at least a
12 dollar-for-dollar match of moneys received from both private
13 and public sources excluding funding from the state. The city
14 can meet the match requirement in this lettered paragraph from
15 moneys received from both private and public sources excluding
16 funding from the state through the fiscal year beginning July
17 1, 2019.>
18 2. Page 7, by striking line 14 and inserting:
19 <..... \$ 30,471,292>

PETTENGILL of Benton

H-8449

1 Amend House File 2497 as follows:
2 1. Page 6, after line 3 by inserting:
3 <As a condition of receiving the appropriation in this
4 subsection, the Iowa law enforcement academy shall conduct a
5 cost-benefit analysis to determine the total cost of completing
6 necessary renovations for the building and to determine the
7 cost-effectiveness of the appropriations necessary to renovate
8 the building.>

COHOON of Des Moines

H-8450

1 Amend House File 2497 as follows:
2 1. Page 8, by striking line 32 and inserting:
3 <..... \$ 700,000>

BRECKENRIDGE of Jasper
COHOON of Des Moines

H-8451

1 Amend Senate File 2298, as passed by the Senate, as follows:
2 1. Page 8, after line 30 by inserting:
3 <Sec. __.MEDICAID PROGRAM ADMINISTRATION. A managed
4 care organization shall not discriminate against any licensed
5 pharmacy or pharmacist located within the geographic service
6 area of the managed care organization if the licensed pharmacy
7 or pharmacist meets the conditions for participation in
8 the Medicaid program established by the department of human
9 services and accepts the prevailing Medicaid reimbursement.

- 10 The department of human services shall adopt rules pursuant to
 11 chapter 17A to administer this provision.>
 12 2. By renumbering as necessary.

BEST of Carroll

H-8452

- 1 Amend House File 2496 as follows:
 2 1. Page 9, line 27, after <distribution to> by inserting
 3 <the Iowa testing program by the department of education on
 4 behalf of>
 5 2. Page 19, line 29, by striking <4.47> and inserting <5.50>
 6 3. Page 23, line 35, by striking <One half> and inserting
 7 <One-half>
 8 4. Page 24, line 1, by striking <one half> and inserting
 9 <one-half>
 10 5. Page 24, lines 3 and 4, by striking <one half> and
 11 inserting <one-half>
 12 6. By striking page 25, line 35, through page 26, line 1.
 13 7. Page 26, line 6, by striking <available> and inserting
 14 <nonrepayable>
 15 8. Page 26, line 7, after <aid> by inserting <for which the
 16 member is eligible>
 17 9. By striking page 26, line 8, through page 27, line 3.
 18 10. Page 36, by striking lines 28 through 31 and inserting:
 19 <c. For ~~accelerated career education program~~ capital
 20 projects at community colleges that are ~~authorized under~~
 21 ~~chapter 260G and that~~ meet the definition of the term “vertical
 22 infrastructure” in section 8.57, subsection 5, paragraph “c”:>
 23 11. Page 36, after line 33 by inserting:
 24 <Moneys appropriated in this lettered paragraph shall be
 25 disbursed pursuant to section 260G.6, subsection 3. Projects
 26 that qualify for moneys appropriated in this lettered paragraph
 27 shall include at least one of the following:
 28 (1) Accelerated career education program capital projects.
 29 (2) Major renovations and major repair needs, including
 30 health, life, and fire safety needs, including compliance with
 31 the federal Americans With Disabilities Act.
 32 (3) Projects that meet the requirements under chapter 260G
 33 and related projects located at a community college whose
 34 campus is located in a city with a population, according to
 35 the 2010 federal decennial census, between 99,000 and 100,000.

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- 1 The prohibition against lease payment under section 8.57,
 2 subsection 5, paragraph “c”, shall not apply to projects
 3 authorized under this subparagraph (3). The provisions of this
 4 subparagraph (3) shall also apply to any moneys which remain
 5 unobligated and unencumbered and were appropriated in prior
 6 years for purposes of this lettered paragraph to such community

7 college. The provisions of this subparagraph (3) are not
8 applicable or effective after June 30, 2019.>

DOLECHECK of Ringgold

H-8453

1 Amend the Senate amendment, H-8439, to House File 2377, as
2 amended, passed, and reprinted by the House, as follows:
3 1. Page 1, before line 20 by inserting:
4 <__. Page 14, after line 32 by inserting:
5 <Sec. __. Section 124.414, subsection 1, paragraph b, Code
6 2018, is amended to read as follows:
7 b. "*Drug paraphernalia*" does not include hypodermic needles
8 or syringes if manufactured, delivered, sold, or possessed
9 for a lawful purpose. "*Lawful purpose*" includes hypodermic
10 needles or syringes delivered, sold, or possessed through an
11 approved needle exchange program established pursuant to rules
12 adopted by the department of public health, in consultation
13 with the department of public safety. The department of
14 public health and department of public safety shall develop
15 model language for a memorandum of understanding which may be
16 considered for use by a county board of health and a local law
17 enforcement agency in locations where a needle exchange program
18 is implemented.>>

19 2. By renumbering as necessary.

ISENHART of Dubuque

H-8454

1 Amend Senate File 2316, as passed by the Senate, as follows:
2 1. Page 14, after line 1 by inserting:
3 <Sec. __. **NEW SECTION. 508.25A Rules — termination of**
4 **universal life insurance policy.**
5 The commissioner of insurance shall adopt rules pursuant
6 to chapter 17A that require a written notice be sent to a
7 policyholder at least thirty calendar days prior to termination
8 of coverage of a universal life insurance policy in an envelope
9 that includes language on the outside of the envelope, or that
10 is viewable through the envelope window, indicating that the
11 envelope contains important information.>
12 2. Title page, by striking lines 1 and 2 and inserting <An
13 Act relating to domestic stock insurers and universal life
14 insurance.>
15 3. By renumbering as necessary.

PETTENGILL of Benton

H-8455

1 Amend House File 2494, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 6, after line 25 by inserting:

4 <DIVISION ___

5 SPECIAL MINOR'S LICENSES

6 Sec. ___. Section 321.194, subsection 1, Code 2018, is
7 amended to read as follows:

8 1. *Persons eligible.* ~~Upon certification of a special need~~
9 ~~by the school board, superintendent of the applicant's school,~~
10 ~~or principal, if authorized by the superintendent, the The~~
11 department may issue a class C or M driver's license to a
12 person between the ages of fourteen and eighteen years if all
13 of the following apply:

14 a. The person's driving privileges have not been suspended,
15 revoked, or barred under this chapter or chapter 321J during,
16 and the person has not been convicted of a moving traffic
17 violation or involved in a motor vehicle accident for, the
18 six-month period immediately preceding the application for the
19 special minor's license.

20 b. The person has successfully completed an approved driver
21 education course. However, the completion of a course is not
22 required if the applicant demonstrates to the satisfaction
23 of the department that completion of the course would impose
24 a hardship upon the applicant. The department shall adopt
25 rules defining the term "*hardship*" and establish procedures for
26 the demonstration and determination of when completion of the
27 course would impose a hardship upon an applicant.

28 c. The person's school has certified to the department
29 that the person has a special need for the license pursuant to
30 subsection 3.

31 Sec. ___. Section 321.194, subsection 2, paragraph a, Code
32 2018, is amended to read as follows:

33 a. *Permitted operations.* The driver's license entitles
34 the holder licensee, while having the license in immediate
35 possession, to operate a motor vehicle, other than a commercial

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1 motor vehicle or as a chauffeur, during the times and for the
2 purposes set forth in this paragraph.

3 (1) If the licensee attends a public school, the licensee
4 may operate a motor vehicle during the hours of 5:00 a.m. to
5 10:00 p.m. as follows:

6 (a) During the hours of 5:00 a.m. to 10:00 p.m. over Over
7 the most direct and accessible route between the licensee's
8 residence and schools of enrollment or the closest school bus
9 stop or public transportation service, and between schools of
10 enrollment, for the purpose of attending duly scheduled courses
11 of instruction and extracurricular activities within the school
12 district of enrollment.

13 (2) (b) During the hours of 5:00 a.m. to 10:00 p.m.
14 over Over the most direct and accessible route between the
15 licensee's residence or school of enrollment and a site,
16 facility, or school that is not the licensee's school of

17 enrollment, for the purpose of participating in extracurricular
 18 activities conducted under a sharing agreement with the
 19 licensee's school of enrollment or conducted at a site, ~~or~~
 20 facility, or school designated by the licensee's school
 21 district for the accommodation of the school's extracurricular
 22 activities, provided the site, facility, or school is within
 23 the licensee's school district of enrollment or is within a
 24 school district contiguous to the licensee's school district
 25 of enrollment.

26 (2) If the licensee attends an accredited nonpublic school,
 27 the licensee may operate a motor vehicle during the hours of
 28 5:00 a.m. to 10:00 p.m. as follows:

29 (a) Over the most direct and accessible route between
 30 the licensee's residence and schools of enrollment or the
 31 closest school bus stop or public transportation service, and
 32 between schools of enrollment, for the purpose of attending
 33 duly scheduled courses of instruction and extracurricular
 34 activities, provided the driving distance between the point of
 35 origin and the destination is no more than twenty-five miles.

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1 (b) Over the most direct and accessible route between
 2 the licensee's residence or school of enrollment and a site,
 3 facility, or school that is not the licensee's school of
 4 enrollment, for the purpose of participating in extracurricular
 5 activities conducted at a site, facility, or school designated
 6 by the licensee's school of enrollment for the accommodation of
 7 the school's extracurricular activities, provided the driving
 8 distance between the point of origin and the destination is no
 9 more than twenty-five miles.

10 (3) To a service station for the purpose of refueling, so
 11 long as the service station is the station closest to the route
 12 on which the licensee is traveling ~~on~~ under subparagraph (1)
 13 or (2).

14 (4) At any time when the licensee is accompanied in
 15 accordance with section 321.180B, subsection 1.

16 Sec. ____ Section 321.194, subsection 3, Code 2018, is
 17 amended to read as follows:

18 3. *Certification of need and issuance of license.*

19 a. Each application shall be accompanied by a statement from
 20 ~~the school board, superintendent, or principal, if authorized~~
 21 ~~by the superintendent, of the applicant's school of enrollment.~~
 22 The statement shall be upon a form provided by the department.
 23 ~~The school board, superintendent, or principal, if authorized~~
 24 ~~by the superintendent, and~~ shall certify that a need exists for
 25 the license and that the ~~board, superintendent, or principal~~
 26 ~~authorized by the superintendent~~ person signing the statement
 27 is not responsible for actions of the applicant which pertain
 28 to the use of the driver's license.

29 (1) If the applicant attends a public school, the
 30 certification shall be made by the school board, superintendent

31 of the applicant's school, or principal, if authorized by the
 32 superintendent.
 33 (2) If the applicant attends an accredited nonpublic
 34 school, the certification shall be made by the authorities in
 35 charge of the accredited nonpublic school or a duly authorized

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1 representative of the authorities.
 2 b. Upon receipt of a statement of necessity, the department
 3 shall issue the driver's license provided the applicant is
 4 otherwise eligible for issuance of the license. The fact that
 5 the applicant resides at a distance less than one mile from the
 6 applicant's school of enrollment is prima facie evidence of the
 7 nonexistence of necessity for the issuance of a license.
 8 c. The school board shall develop and adopt a policy
 9 establishing the criteria that the school shall be used
 10 by a school district administrator use to approve or deny
 11 certification that a need exists for a license. If the school
 12 is a public school, the policy shall be developed and adopted
 13 by the school board. If the school is an accredited nonpublic
 14 school, the policy shall be developed and adopted according
 15 to procedures determined by the authorities in charge of the
 16 accredited nonpublic school.
 17 d. The A student enrolled in a public school may appeal
 18 to the school board the decision of a school district
 19 administrator to deny certification. A student enrolled in an
 20 accredited nonpublic school may appeal the school's decision to
 21 deny certification as permitted by the authorities in charge of
 22 the accredited nonpublic school. The decision of the school
 23 board or authorities in charge of the accredited nonpublic
 24 school is final.
 25 e. The driver's license shall not be issued for purposes
 26 of attending a public school in a school district other than
 27 either of the following:
 28 ~~a.~~ (1) The district of residence of the parent or guardian
 29 of the student.
 30 ~~b.~~ (2) A district which is contiguous to the district of
 31 residence of the parent or guardian of the student, if the
 32 student is enrolled in the public school which is not the
 33 school district of residence because of open enrollment under
 34 section 282.18 or as a result of an election by the student's
 35 district of residence to enter into one or more sharing

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1 agreements pursuant to the procedures in chapter 282.
 2 f. The driver's license shall not be issued for purposes
 3 of attending an accredited nonpublic school if the driving
 4 distance between the school and the residence of the parent or

- 5 guardian of the student is more than twenty-five miles.>
 6 2. By renumbering as necessary.

SENATE AMENDMENT

H-8456

- 1 Amend House File 2499 as follows:
 2 1. Page 16, after line 29 by inserting:
 3 <4. The department of revenue shall provide a refund due on
 4 a state income tax return within thirty days of the filing of
 5 the tax return. The department shall notify any individual if
 6 it is not possible to provide a refund due on a state income tax
 7 return within thirty days of filing.>

T. TAYLOR of Linn

H-8457

- 1 Amend House File 2499 as follows:
 2 1. Page 20, after line 2 by inserting:
 3 <Sec. __.NEW SECTION. 7D.17 Board meetings by executive
 4 council members.
 5 Any member of the executive council that is a member of a
 6 statutory board, commission, council, or committee shall attend
 7 all meetings of the board, commission, council, or committee,
 8 either personally or through a designee from the executive
 9 council member's office.>
 10 2. Page 20, after line 29 by inserting:
 11 <Sec. __.NEW SECTION. 11.5C Audit of authority expenses.
 12 1. The auditor of state shall contract with a private
 13 accounting firm to conduct an annual rotating full audit of
 14 expenses that are reimbursed by state funds from the following
 15 state entities:
 16 a. Agricultural development authority.
 17 b. Economic development authority.
 18 c. Iowa communications network.
 19 d. Iowa finance authority.
 20 e. Iowa lottery authority.
 21 f. Iowa state fair authority.
 22 g. Tobacco settlement authority.
 23 2. Each year, if the private accounting firm does not
 24 conduct a full audit of such expenses relating to an entity
 25 listed in subsection 1, the auditor of state shall conduct a
 26 sample audit of the entity. The auditor of state shall ensure
 27 that each listed entity receives either a full audit or a
 28 sample audit each year.>
 29 3. By renumbering as necessary.

HUNTER of Polk

H-8458

- 1 Amend House File 2499 as follows:
2 1. Page 20, after line 29 by inserting:
3 <DIVISION ___
4 SEXUAL HARASSMENT TRAINING
5 Sec. ___.SEXUAL HARASSMENT TRAINING. The department of
6 administrative services shall provide training to all state
7 employees in management or supervisory positions, including
8 directors, administrators, managers, and supervisors, relating
9 to sexual harassment awareness, prevention, and reporting
10 within thirty days of the effective date of this division of
11 this Act.>
12 2. By renumbering as necessary.

MASCHER of Johnson

H-8459

- 1 Amend House File 2499 as follows:
2 1. Page 20, after line 29 by inserting:
3 <DIVISION ___
4 CYBER SECURITY REPORT
5 Sec. ___.CYBER SECURITY REPORT. The office of the
6 secretary of state shall conduct an analysis of its efforts to
7 protect against cyber security threats or attacks relating to
8 the statewide voter registration system and voting systems.
9 The analysis shall include a description of all defenses or
10 measures the office has taken to protect against such threats
11 or attacks. The office of the secretary of state shall submit
12 a report containing the results of the analysis to the general
13 assembly no later than October 1, 2018.>
14 2. By renumbering as necessary.

HUNTER of Polk

H-8460

- 1 Amend House File 2499 as follows:
2 1. Page 20, after line 29 by inserting:
3 <DIVISION ___
4 PUBLIC EDUCATION — REPORT
5 Sec. ___.PUBLIC EDUCATION — REPORT. The office of the
6 secretary of state shall develop and implement a comprehensive
7 and statewide public education plan to inform the voters
8 regarding voter registration and election day requirements, and
9 any other provisions of law affecting an individual's ability
10 to vote in this state. The office of the secretary of state
11 shall submit an annual report containing a description and
12 the results of its implementation of such plan to the general

- 13 assembly no later than July 1 of each year.>
 14 2. By renumbering as necessary.

HUNTER of Polk

H-8461

- 1 Amend the amendment, H-8273, to Senate File 2382, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, after line 2 by inserting:
 4 <__. Page 2, by striking lines 5 through 7 and inserting:
 5 <2. The criminal records for the following offenses shall
 6 not be expunged:>>
 7 2. Page 1, line 3, by striking <5, line 20> and inserting
 8 <10, line 23>
 9 3. Page 1, by striking lines 6 and 7 and inserting:
 10 <__. By striking page 15, line 18, through page 20, line
 11 4.>
 12 4. Page 1, after line 12 by inserting:
 13 <__. Page 26, after line 14 by inserting:
 14 <DIVISION __
 15 JUROR SERVICE
 16 Sec. __. Section 607A.5, Code 2018, is amended to read as
 17 follows:
 18 **607A.5 Automatic excuse from jury service.**
 19 1. A person shall be excused from jury service if the
 20 person submits written documentation verifying, to the court's
 21 satisfaction, that the person is solely responsible for the
 22 daily care of a person with a permanent disability living
 23 in the person's household and that the performance of juror
 24 service would cause substantial risk of injury to the health of
 25 the person with a disability, or that the person is the mother
 26 of a breastfed child and is responsible for the daily care of
 27 the child. However, if the person is regularly employed at a
 28 location other than the person's household, the person shall
 29 not be excused under this ~~section~~ subsection.
 30 2. A person shall be excused from jury service if the person
 31 is at least seventy-two years of age and notifies the court
 32 that the person is at least seventy-two years of age and wishes
 33 to be exempted from jury service.
 34 DIVISION __
 35 EARNED TIME

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- 1 Sec. __. Section 903A.2, subsection 1, paragraph a,
 2 subparagraph (2), Code 2018, is amended to read as follows:
 3 (2) However, an inmate required to participate in a sex
 4 offender treatment program shall not be eligible for a any
 5 reduction of sentence ~~unless~~ until the inmate participates in
 6 and completes a sex offender treatment program established by
 7 the director.

8 Sec. ____ Section 903A.2, subsection 1, paragraph b,
 9 subparagraph (2), Code 2018, is amended to read as follows:
 10 (2) An inmate required to participate in a domestic abuse
 11 treatment program shall not be eligible for a any reduction of
 12 sentence ~~unless~~ until the inmate participates in and completes
 13 a domestic abuse treatment program established by the director.
 14 Sec. ____ Section 903A.3, subsection 1, Code 2018, is
 15 amended to read as follows:
 16 1. Upon finding that an inmate has violated an institutional
 17 rule, has failed to complete a sex offender or domestic abuse
 18 treatment program as specified in section 903A.2, or has
 19 had an action or appeal dismissed under section 610A.2, the
 20 independent administrative law judge may order forfeiture of
 21 any or all earned time accrued and not forfeited up to the
 22 date of the violation by the inmate and may order forfeiture
 23 of any or all earned time accrued and not forfeited up to
 24 the date the action or appeal is dismissed, unless the court
 25 entered such an order under section 610A.3. The independent
 26 administrative law judge has discretion within the guidelines
 27 established pursuant to section 903A.4, to determine the amount
 28 of time that should be forfeited based upon the severity of the
 29 violation. Prior violations by the inmate may be considered by
 30 the administrative law judge in the decision.

31 DIVISION ____
 32 HUMAN TRAFFICKING

33 Sec. ____ Section 710A.2, Code 2018, is amended to read as
 34 follows:
 35 **710A.2 Human trafficking.**

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1 1. A person who knowingly engages in human trafficking is
 2 guilty of a class "D" felony, except that if the victim is
 3 under the age of eighteen, the person is guilty of a class "C"
 4 "B" felony.
 5 2. A person who knowingly engages in human trafficking by
 6 causing or threatening to cause serious physical injury to
 7 another person is guilty of a class "C" felony, except that if
 8 the victim is under the age of eighteen, the person is guilty
 9 of a class "B" felony.
 10 3. A person who knowingly engages in human trafficking by
 11 physically restraining or threatening to physically restrain
 12 another person is guilty of a class "D" felony, except that if
 13 the victim is under the age of eighteen, the person is guilty
 14 of a class "C" "B" felony.
 15 4. A person who knowingly engages in human trafficking by
 16 soliciting services or benefiting from the services of a victim
 17 is guilty of a class "D" felony, except that if the victim is
 18 under the age of eighteen, the person is guilty of a class "C"
 19 "B" felony.
 20 5. A person who knowingly engages in human trafficking by
 21 abusing or threatening to abuse the law or legal process is

22 guilty of a class “D” felony, except that if the victim is
 23 under the age of eighteen, the person is guilty of a class “C”
 24 “B” felony.

25 6. A person who knowingly engages in human trafficking
 26 by knowingly destroying, concealing, removing, confiscating,
 27 or possessing any actual or purported passport or other
 28 immigration document, or any other actual or purported
 29 government identification document of a victim is guilty of a
 30 class “D” felony, except that if that other person is under
 31 the age of eighteen, the person is guilty of a class “C” “B”
 32 felony.

33 7. A person who benefits financially or by receiving
 34 anything of value from knowing participation in human
 35 trafficking is guilty of a class “D” felony, except that if the

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1 victim is under the age of eighteen, the person is guilty of a
 2 class “C” “B” felony.

3 8. A person’s ignorance of the age of the victim or a belief
 4 that the victim was older is not a defense to a violation of
 5 this section.

6 DIVISION ____
 7 EMPLOYEE’S CRIMINAL HISTORY — ADMISSIBILITY
 8 Sec. ____NEW SECTION. **671A.1 Limitation on admissibility**
 9 **of evidence of an employee’s criminal history.**

10 1. Information regarding the criminal history of an
 11 employee or former employee shall not be introduced as evidence
 12 in a civil action against an employer or its employees or
 13 agents that is based on the conduct of the employee or former
 14 employee in any of the following circumstances:

15 a. The nature of the criminal history does not bear a direct
 16 relationship to the facts underlying the cause of action.

17 b. Before the occurrence of the act giving rise to the civil
 18 action, a court ordered the record of any criminal case sealed
 19 or the president of the United States or the chief executive of
 20 a state pardoned the employee or former employee.

21 c. The record is of an arrest or charge that did not result
 22 in a criminal conviction.

23 d. A court granted the employee or former employee a
 24 deferred judgment at sentencing and a court did not revoke the
 25 deferred judgment.

26 2. This section does not alter any statutory provision
 27 allowing an employer to conduct a criminal history background
 28 investigation or consider criminal history records in the
 29 employment process for particular types of employment.

30 3. This section does not create a duty for employers not
 31 otherwise so required by law to conduct criminal history
 32 background checks.

33 _____. Title page, line 2, after <related> by inserting
 34 <criminal history admissibility, and>>

35 5. By renumbering, redesignating, and correcting internal

PAGE 5

1 references as necessary.

BALTIMORE of Boone

H-8462

1 Amend House File 2499 as follows:

2 1. Page 10, after line 18 by inserting:

3 <0b. From the moneys appropriated in this subsection, the
 4 health facilities division shall use \$56,000 for inspections of
 5 subacute care facilities as required by 2018 Iowa Acts, House
 6 File 2456. From the full-time equivalent positions authorized
 7 in this subsection, the health facilities division shall use
 8 0.50 full-time equivalent positions for inspections of subacute
 9 care facilities as required by 2018 Iowa Acts, House File
 10 2456.>

11 2. Page 12, line 27, after ~~<reallocation>~~ by inserting <in
 12 excess of \$2,470.605>

13 3. Page 17, line 23, by striking <11.50> and inserting
 14 <16.00>

15 4. Page 17, line 34, by striking <13.50> and inserting
 16 <16.00>

17 5. Page 20, by striking lines 27 through 29 and inserting
 18 <responsible bidder based solely on bid price.>

LANDON of Polk

H-8463

1 Amend House File 2497 as follows:

2 1. Page 3, line 12, after ~~<farming>~~ by inserting <
 3 farm tenants, and landowners leasing land for agricultural
 4 production>

ISENHART of Dubuque

H-8464

1 Amend Senate File 2416, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 20, after line 34 by inserting:

4 <DIVISION ___
 5 HARASSMENT TRAINING

6 Sec. ___.HARASSMENT TRAINING. The department of
 7 administrative services shall provide training to all executive
 8 branch state employees in calendar year 2018 relating to
 9 harassment awareness, prevention, and reporting, including
 10 sexual harassment, on or before June 30, 2018. Executive
 11 branch state employees hired after June 30, 2018, shall be
 12 provided the same harassment training pursuant to this section.

13 Sec. ___.EFFECTIVE UPON ENACTMENT. This division of this

- 14 Act, being deemed of immediate importance, takes effect upon
- 15 enactment.>
- 16 2. Title page, line 4, after <atters> by inserting <, and
- 17 including effective date provisions>
- 18 3. By renumbering as necessary.

LONDON of Polk

H-8465

- 1 Amend House File 2497 as follows:
- 2 1. Page 1, by striking lines 12 through 16 and inserting:
- 3 <..... \$ 24,500,000
- 4 Of the moneys appropriated in this subsection for the fiscal
- 5 year beginning July 1, 2018, the department shall give priority
- 6 to projects for repair of the roof of the state historical
- 7 building and is authorized to expend such amount not to exceed
- 8 \$3,300,000 for the costs associated with projects for repair of
- 9 the roof of the state historical building.>
- 10 2. Page 1, after line 18 by inserting:
- 11 <Of the moneys appropriated in this subsection for the
- 12 fiscal year beginning July 1, 2019, the department shall give
- 13 priority to projects for repair of the roof of the state
- 14 historical building and is authorized to expend such amount not
- 15 to exceed \$3,300,000 for the costs associated with projects for
- 16 repair of the roof of the state historical building.>
- 17 3. Page 5, line 30, before <For the> by inserting <a.>
- 18 4. Page 5, after line 33 by inserting:
- 19 < b. For a grant to a nonprofit agency that provides expert
- 20 care for children with medical complexity to expand its
- 21 services to those children who reach adulthood in their care
- 22 by providing infrastructure funding for expanding its nursing
- 23 facility:
- 24 FY 2018-2019:
- 25 \$ 500,000>
- 26 5. Page 6, after line 3 by inserting:
- 27 <FY 2019-2020:
- 28 \$ 10,826,911>
- 29 6. Page 8, by striking line 32 and inserting:
- 30 < \$ 700,000>
- 31 7. By renumbering as necessary.

HUSEMAN of Cherokee

H-8466

- 1 Amend House File 2492, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. Page 1, before line 1 by inserting:
- 4 <DIVISION I
- 5 FY 2018-2019 APPROPRIATIONS>
- 6 2. Page 1, line 17, by striking <6,511,705> and inserting

7 <5,911,705>
 8 3. Page 3, after line 24 by inserting:
 9 <4. The department of justice shall be subject to an
 10 agreed-upon procedures engagement performed by the auditor of
 11 state to identify sources and uses of discretionary funds of
 12 the department, including but not limited to legal settlement
 13 funds controlled by the department. The auditor of state
 14 shall complete and file the written report of the auditor's
 15 findings and recommendations with the general assembly and
 16 the governor's office by February 1, 2019. The department of
 17 justice shall fully reimburse the auditor of state for the
 18 agreed-upon procedures engagement.>
 19 4. Page 6, line 20, by striking <9,933,851> and inserting
 20 <9,231,488>
 21 5. Page 14, line 4, by striking <6,631,377> and inserting
 22 <4,734,703>
 23 6. Page 14, line 15, by striking <14,463,083> and inserting
 24 <14,663,083>
 25 7. Page 14, line 17, by striking <162.00> and inserting
 26 <163.00>
 27 8. Page 14, line 20, by striking <2.0> and inserting <and
 28 additional 3.0>
 29 9. Page 15, line 2, by striking <302,345> and inserting
 30 <650,000>
 31 10. Page 15, after line 2 by inserting:
 <32 Notwithstanding section 8.33, moneys appropriated in this
 33 subsection that remain unencumbered or unobligated at the close
 34 of the fiscal year shall not revert but shall remain available
 35 for expenditure for the purposes designated until the close of

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1 the succeeding fiscal year.>
 2 11. Page 15, line 12, by striking <7,585,873> and inserting
 3 <7,785,873>
 4 12. Page 15, line 29, by striking <109,042> and inserting
 5 <209,042>
 6 13. Page 16, line 5, by striking <4,765,056> and inserting
 7 <4,965,056>
 8 14. Page 16, line 21, by striking <62,126,287> and inserting
 9 <63,926,287>
 10 15. Page 20, after line 28 by inserting:
 11 <Sec. __.EFFECTIVE DATE. The following, being deemed of
 12 immediate importance, takes effect upon enactment:
 13 The portion of this division of this Act amending 2017 Iowa
 14 Acts, chapter 167, section 31, prohibiting the utilization of
 15 the public safety assessment in pretrial hearings.
 16 DIVISION __
 17 ATTORNEY GENERAL REPORTS>
 18 16. Page 20, after line 30 by inserting:
 19 <DIVISION __
 20 PUBLIC SAFETY SUPPORT TRUST FUND>

- 21 17. Page 21, after line 8 by inserting:
 22 <DIVISION ___
 23 UNMANNED AERIAL VEHICLES>
 24 18. Page 21, after line 33 by inserting:
 25 <DIVISION ___
 26 PRISON READING ROOMS>
 27 19. Page 22, by striking lines 9 through 13 and inserting:
 28 <DIVISION ___
 29 SPECIALTY COURTS — STUDY
 30 Sec. ___.SPECIALTY COURTS — STUDY. The judicial
 31 branch and the department of corrections in cooperation with
 32 the division of criminal and juvenile justice planning of
 33 the department of human rights, and the judicial district
 34 departments of correctional services, shall study the
 35 effectiveness and recidivism rates of persons assigned to

PAGE 3

1 the specialty courts of the judicial branch. The national
 2 center for state courts may be utilized in order to complete
 3 the study. The judicial branch shall file a report detailing
 4 the cost-effectiveness of the specialty courts including any
 5 recommendations with the general assembly and the fiscal
 6 services division of the legislative services agency by January
 7 15, 2019.

8 DIVISION ___

9 SMALL CLAIMS JURISDICTION

10 Sec. ___. Section 631.1, subsections 1, 3, 4, 5, 7, and 8,
 11 Code 2018, are amended to read as follows:

12 1. The following actions or claims are small claims and
 13 shall be commenced, heard and determined as provided in this
 14 chapter:

15 a. A civil action for a money judgment where the amount in
 16 controversy is ~~four~~ five thousand dollars or less for actions
 17 commenced before July 1, ~~2002~~ 2018, exclusive of interest and
 18 costs.

19 b. A civil action for a money judgment where the amount in
 20 controversy is ~~five~~ six thousand five hundred dollars or less
 21 for actions commenced on or after July 1, ~~2002~~ 2018, exclusive
 22 of interest and costs.

23 3. The district court sitting in small claims has concurrent
 24 jurisdiction of an action of replevin if the value of the
 25 property claimed is ~~four~~ five thousand dollars or less for
 26 actions commenced before July 1, ~~2002~~ 2018, and ~~five~~ six
 27 thousand five hundred dollars or less for actions commenced on
 28 or after July 1, ~~2002~~ 2018. When commenced under this chapter,
 29 the action is a small claim for the purposes of this chapter.

30 4. The district court sitting in small claims has concurrent
 31 jurisdiction of motions and orders relating to executions
 32 against personal property, including garnishments, where the
 33 value of the property or garnisheed money involved is ~~four~~ five
 34 thousand dollars or less for actions commenced before July 1,

35 ~~2002 2018~~, and five six thousand five hundred dollars or less

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1 for actions commenced on or after July 1, ~~2002 2018~~.
 2 5. The district court sitting in small claims has concurrent
 3 jurisdiction of an action for abandonment of a manufactured or
 4 mobile home or personal property pursuant to section 555B.3,
 5 if no money judgment in excess of ~~four~~ five thousand dollars
 6 is sought for actions commenced before July 1, ~~2002 2018~~, and
 7 five six thousand five hundred dollars or less for actions
 8 commenced on or after July 1, ~~2002 2018~~. If commenced under
 9 this chapter, the action is a small claim for the purposes of
 10 this chapter.

11 7. The district court sitting in small claims has concurrent
 12 jurisdiction of an action for the collection of taxes brought
 13 by a county treasurer pursuant to sections 445.3 and 445.4
 14 where the amount in controversy is five thousand dollars or
 15 less for actions commenced ~~on or after~~ before July 1, ~~2003~~
 16 2018, and six thousand five hundred dollars or less for actions
 17 commenced on or after July 1, 2018, exclusive of interest and
 18 costs.

19 8. The district court sitting in small claims has concurrent
 20 jurisdiction of motions and orders relating to releases of
 21 judgments in whole or in part including motions and orders
 22 under section 624.23, subsection 2, paragraph “c” and section
 23 624.37, where the amount owing on the judgment, including
 24 interests and costs, is five thousand dollars or less for
 25 actions commenced before July 1, 2018, and six thousand five
 26 hundred dollars or less for actions commenced on or after July
 27 1, 2018.

28 Sec. . JURISDICTIONAL AMOUNT REVERSION — SMALL
 29 CLAIMS. The jurisdictional amount in the section of this
 30 division of this Act that amends section 631.1 shall revert
 31 to five thousand dollars if a court of competent jurisdiction
 32 declares the six thousand five hundred dollar amount
 33 unconstitutional.>

34 20. Title page, line 1, after <system,> by inserting
 35 <providing penalties,>

SENATE AMENDMENT

H-8467

1 Amend House File 2493, as amended, passed, and reprinted by
 2 the House, as follows:

3 1. Page 1, line 17, by striking <56.50> and inserting
 4 <56.50>

5 2. Page 1, line 18, by striking <52.30>

6 3. Page 3, line 10, by striking <147.45> and inserting
 7 <147.45>

8 4. Page 3, line 11, by striking <126.15>

- 9 5. Page 9, line 32, by striking <61.12> and inserting
- 10 <61.12>
- 11 6. Page 9, line 33, by striking <57.90>
- 12 7. Page 10, line 9, by striking <27.20> and inserting
- 13 <27.20>
- 14 8. Page 10, line 10, by striking <27.00>
- 15 9. Page 10, line 26, by striking <187.75> and inserting
- 16 <187.75>
- 17 10. Page 10, line 27, by striking <183.78>
- 18 11. Page 11, line 27, after <department> by inserting <, and
- 19 for not more than the following full-time equivalent positions>
- 20 12. Page 11, after line 28 by inserting:
- 21 <..... FTEs 1.00>
- 22 13. Page 12, line 13, by striking <5.00> and inserting
- 23 <5.00>
- 24 14. Page 12, line 14, by striking <4.50>
- 25 15. Page 13, line 6, by striking <1,060,000> and inserting
- 26 <1,600,000>
- 27 16. Page 13, line 20, by striking <13,000,000> and inserting
- 28 <13,650,000>
- 29 17. Page 18, after line 12 by inserting:
- 30 <DIVISION ____
- 31 DEPARTMENT OF ADMINISTRATIVE SERVICES INVESTIGATION
- 32 Sec. ____DEPARTMENT OF ADMINISTRATIVE SERVICES APPOINTMENT
- 33 OF INDEPENDENT INVESTIGATOR. The department of administrative
- 34 services shall appoint an independent investigator responsible
- 35 for facilitation of an investigation of the Iowa finance

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1 authority. The investigation shall include an analysis of

2 all expenses reimbursed by the state to the former director

3 of the authority and all employees of the authority for the

4 period January 1, 2011, through June 30, 2018. Such expenses

5 shall include all travel, lodging, meals, beverages, personal

6 services, entertainment, office expenses, and all other

7 expenditures not included in the authority's budget. The

8 investigation shall also include an analysis of any personal

9 financial or other personal accounts used by the former

10 authority director or any employee of the authority to collect

11 agency fees or other moneys collected by the authority. In

12 addition, the investigation shall include a review of any

13 conduct of current and former authority employees in violation

14 of any state human resources policies or authority personnel

15 policies, or otherwise related to the termination of the

16 former director of the authority. The department shall submit

17 a report with a summary of the results of the independent

18 investigation to the general assembly no later than December 1,

19 2018.>

20 <DIVISION ____

21 MISCELLANEOUS

22 Sec. ____ Section 8.57, subsection 5, paragraph f,

23 subparagraph (1), subparagraph division (c), Code 2018, is
 24 amended to read as follows:
 25 (c)(i) For the fiscal year beginning July 1, 2013, and for
 26 each fiscal year ~~thereafter~~ through the fiscal year beginning
 27 July 1, 2017, of the wagering tax receipts received pursuant to
 28 sections 99D.17 and 99F.11, the next sixty-six million dollars
 29 shall be deposited in the Iowa skilled worker and job creation
 30 fund created in section 8.75.
 31 (ii) For the fiscal year beginning July 1, 2018, and for
 32 each fiscal year thereafter, of the wagering tax receipts
 33 received pursuant to sections 99D.17 and 99F.11, the next
 34 sixty-three million seven hundred fifty thousand dollars shall
 35 be deposited in the Iowa skilled worker and job creation fund

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1 created in section 8.75.
 2 Sec. ____ Section 8.57, subsection 5, paragraph f,
 3 subparagraph (1), Code 2018, is amended by adding the following
 4 new subparagraph division:
 5 NEW SUBPARAGRAPH DIVISION. (0d) For the fiscal year
 6 beginning July 1, 2018, and for each fiscal year thereafter, of
 7 the wagering tax receipts received pursuant to sections 99D.17
 8 and 99F.11, the next two million two hundred fifty thousand
 9 dollars shall be deposited in the general fund of the state.
 10 Sec. ____ Section 8.57, subsection 5, paragraph f,
 11 subparagraph (1), subparagraph division (d), Code 2018, is
 12 amended to read as follows:
 13 (d) For the fiscal year beginning July 1, ~~2013~~, 2018, and
 14 for each fiscal year thereafter, the total moneys in excess of
 15 the moneys deposited under this paragraph “f” in the revenue
 16 bonds debt service fund, the revenue bonds federal subsidy
 17 holdback fund, the vision Iowa fund, and the Iowa skilled
 18 worker and job creation fund, and the general fund of the state
 19 shall be deposited in the rebuild Iowa infrastructure fund and
 20 shall be used as provided in this section, notwithstanding
 21 section 8.60.
 22 Sec. ____ Section 96.5, Code 2018, is amended by adding the
 23 following new subsection:
 24 NEW SUBSECTION. 13. *Overpayment resulting in*
 25 *disqualification.* If the department finds that an individual
 26 has received benefits by reason of misrepresentation pursuant
 27 to section 96.16, such individual shall be disqualified for
 28 benefits until the balance of the benefits received by the
 29 individual due to misrepresentation, including all penalties,
 30 interest, and lien fees, is paid in full.
 31 Sec. ____ NEW SECTION. **507E.2A Definition of insurer —**
 32 **workers’ compensation.**
 33 As used in this chapter, unless the context otherwise
 34 requires:
 35 1. *“Insurance”* means any and all contracts, arrangements,

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1 and agreements by or through which one party, for compensation,
 2 assumes risks of another party and promises to pay the second
 3 party or the second party's nominee a certain or ascertainable
 4 sum of money on the occurrence of a specified contingency.
 5 "Insurance" includes any and all contracts, arrangements, or
 6 agreements contemplated by, falling within, and coming under
 7 section 87.11. Without limiting the foregoing, "insurance"
 8 includes any contract of insurance, indemnity, subscription,
 9 membership, suretyship, or annuity that has been issued, is
 10 proposed for issuance, or is intended for issuance by any
 11 person or entity.
 12 2. "Insurer" includes an insurer that issues a policy of
 13 workers' compensation, a self-insured business for purposes of
 14 workers' compensation liability, or a group or self-insured
 15 plan as described in section 87.4.>

SENATE AMENDMENT

H-8468

1 Amend the amendment, H-8273, to Senate File 2382, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, by striking line 3 and inserting:
 4 <__. By striking page 1, line 1, through page 10, line 23>
 5 2. Page 1, by striking lines 6 and 7 and inserting:
 6 <__. By striking page 15, line 18, through page 20, line
 7 4.>
 8 3. Page 1, after line 12 by inserting:
 9 <__. Page 26, after line 14 by inserting:
 10 <DIVISION __
 11 JUROR SERVICE
 12 Sec. __. Section 607A.5, Code 2018, is amended to read as
 13 follows:
 14 **607A.5 Automatic excuse from jury service.**
 15 1. A person shall be excused from jury service if the
 16 person submits written documentation verifying, to the court's
 17 satisfaction, that the person is solely responsible for the
 18 daily care of a person with a permanent disability living
 19 in the person's household and that the performance of juror
 20 service would cause substantial risk of injury to the health of
 21 the person with a disability, or that the person is the mother
 22 of a breastfed child and is responsible for the daily care of
 23 the child. However, if the person is regularly employed at a
 24 location other than the person's household, the person shall
 25 not be excused under this section subsection.
 26 2. A person shall be excused from jury service if the person
 27 is at least seventy-two years of age and notifies the court
 28 that the person is at least seventy-two years of age and wishes
 29 to be exempted from jury service.

30 DIVISION __

31 EARNED TIME

32 Sec. ____ Section 903A.2, subsection 1, paragraph a,
33 subparagraph (2), Code 2018, is amended to read as follows:
34 (2) However, an inmate required to participate in a sex
35 offender treatment program shall not be eligible for a any

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1 reduction of sentence ~~unless~~ until the inmate participates in
2 and completes a sex offender treatment program established by
3 the director.

4 Sec. ____ Section 903A.2, subsection 1, paragraph b,
5 subparagraph (2), Code 2018, is amended to read as follows:

6 (2) An inmate required to participate in a domestic abuse
7 treatment program shall not be eligible for a any reduction of
8 sentence ~~unless~~ until the inmate participates in and completes
9 a domestic abuse treatment program established by the director.

10 Sec. ____ Section 903A.3, subsection 1, Code 2018, is
11 amended to read as follows:

12 1. Upon finding that an inmate has violated an institutional
13 rule, has failed to complete a sex offender or domestic abuse
14 treatment program as specified in section 903A.2, or has
15 had an action or appeal dismissed under section 610A.2, the
16 independent administrative law judge may order forfeiture of
17 any or all earned time accrued and not forfeited up to the
18 date of the violation by the inmate and may order forfeiture
19 of any or all earned time accrued and not forfeited up to
20 the date the action or appeal is dismissed, unless the court
21 entered such an order under section 610A.3. The independent
22 administrative law judge has discretion within the guidelines
23 established pursuant to section 903A.4, to determine the amount
24 of time that should be forfeited based upon the severity of the
25 violation. Prior violations by the inmate may be considered by
26 the administrative law judge in the decision.

27 DIVISION ____

28 HUMAN TRAFFICKING

29 Sec. ____ Section 710A.2, Code 2018, is amended to read as
30 follows:

31 **710A.2 Human trafficking.**

32 1. A person who knowingly engages in human trafficking is
33 guilty of a class "D" felony, except that if the victim is
34 under the age of eighteen, the person is guilty of a class "C"
35 "B" felony.

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1 2. A person who knowingly engages in human trafficking by
2 causing or threatening to cause serious physical injury to
3 another person is guilty of a class "C" felony, except that if
4 the victim is under the age of eighteen, the person is guilty
5 of a class "B" felony.

6 3. A person who knowingly engages in human trafficking by

7 physically restraining or threatening to physically restrain
 8 another person is guilty of a class "D" felony, except that if
 9 the victim is under the age of eighteen, the person is guilty
 10 of a class "C" "B" felony.

11 4. A person who knowingly engages in human trafficking by
 12 soliciting services or benefiting from the services of a victim
 13 is guilty of a class "D" felony, except that if the victim is
 14 under the age of eighteen, the person is guilty of a class "C"
 15 "B" felony.

16 5. A person who knowingly engages in human trafficking by
 17 abusing or threatening to abuse the law or legal process is
 18 guilty of a class "D" felony, except that if the victim is
 19 under the age of eighteen, the person is guilty of a class "C"
 20 "B" felony.

21 6. A person who knowingly engages in human trafficking
 22 by knowingly destroying, concealing, removing, confiscating,
 23 or possessing any actual or purported passport or other
 24 immigration document, or any other actual or purported
 25 government identification document of a victim is guilty of a
 26 class "D" felony, except that if that other person is under
 27 the age of eighteen, the person is guilty of a class "C" "B"
 28 felony.

29 7. A person who benefits financially or by receiving
 30 anything of value from knowing participation in human
 31 trafficking is guilty of a class "D" felony, except that if the
 32 victim is under the age of eighteen, the person is guilty of a
 33 class "C" "B" felony.

34 8. A person's ignorance of the age of the victim or a belief
 35 that the victim was older is not a defense to a violation of

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1 this section.

2 DIVISION ____

3 EMPLOYEE'S CRIMINAL HISTORY — ADMISSIBILITY

4 Sec. ____NEW SECTION. **671A.1 Limitation on admissibility**
 5 **of evidence of an employee's criminal history.**

6 1. Information regarding the criminal history of an
 7 employee or former employee shall not be introduced as evidence
 8 in a civil action against an employer or its employees or
 9 agents that is based on the conduct of the employee or former
 10 employee in any of the following circumstances:

11 a. The nature of the criminal history does not bear a direct
 12 relationship to the facts underlying the cause of action.

13 b. Before the occurrence of the act giving rise to the civil
 14 action, a court ordered the record of any criminal case sealed
 15 or the president of the United States or the chief executive of
 16 a state pardoned the employee or former employee.

17 c. The record is of an arrest or charge that did not result
 18 in a criminal conviction.

19 d. A court granted the employee or former employee a
 20 deferred judgment at sentencing and a court did not revoke the

21 deferred judgment.

22 2. This section does not alter any statutory provision
23 allowing an employer to conduct a criminal history background
24 investigation or consider criminal history records in the
25 employment process for particular types of employment.

26 3. This section does not create a duty for employers not
27 otherwise so required by law to conduct criminal history
28 background checks.

29 _____. Title page, line 2, after <proceedings> by inserting
30 <and criminal history admissibility,>>

31 4. By renumbering, redesignating, and correcting internal
32 references as necessary.

BALTIMORE of Boone

H-8469

1 Amend Senate File 2415, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 19, after line 21 by inserting:

4 <The recycling and reuse center shall review beverage
5 container control programs and requirements under chapter 455C
6 and shall submit its findings and recommendations in a written
7 report to the general assembly by December 14, 2018.>

McKEAN of Jones

H-8470

1 Amend Senate File 2415, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 2, line 7, by striking <4,700,000> and inserting

4 <4,879,600>

HALL of Woodbury

H-8471

1 Amend Senate File 2415, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 24, by striking lines 4 through 7 and inserting

4 <requirements of paragraph "b".>

WINCKLER of Scott

H-8472

1 Amend Senate File 2415, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking page 25, line 32, through page 26, line 1,
4 and inserting <enrolled in eligible institutions.>

WINCKLER of Scott

H-8473

1 Amend Senate File 2415, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 15, line 13, by striking <8,300,000> and inserting
4 <10,933,070>

WINCKLER of Scott
JACOBY of Johnson
KRESSIG of Black Hawk
R. SMITH of Black Hawk
HEDDENS of Story
LENSING of Johnson

NIELSEN of Johnson
MASCHER of Johnson
BROWN-POWERS of Black Hawk
WESSEL-KROESCHELL of Story
RUNNING-MARQUARDT of Linn
THEDE of Scott

H-8474

1 Amend the amendment, H-8273, to Senate File 2382, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, line 9, by striking <16> and inserting <26>

BALTIMORE of Boone

H-8475

1 Amend the Senate amendment, H-8466, to House File 2492, as
2 amended, passed, and reprinted by the House, as follows:

3 1. Page 2, after line 9 by inserting:
4 <___. Page 20, line 28, by striking <1,000,000> and
5 inserting <1,500,000>>

WORTHAN of Buena Vista

H-8476

1 Amend House File 2489 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I
5 INTEREST ACCRUAL ON CERTAIN TAX REFUNDS

6 Section 1. Section 15.335, subsection 8, Code 2018, is
7 amended to read as follows:

8 8. Any credit in excess of the tax liability for the
9 taxable year shall be refunded with interest ~~computed under~~
10 ~~section 422.25 in accordance with section 421.60, subsection~~
11 2, paragraph "e." In lieu of claiming a refund, a taxpayer may
12 elect to have the overpayment shown on its final, completed
13 return credited to the tax liability for the following year.

14 Sec. 2. **NEW SECTION. 421.6 Definition of return.**

15 For purposes of this title, unless the context otherwise
16 requires, "return" means any tax or information return,
17 amended return, declaration of estimated tax, or claim for
18 refund that is required by, provided for, or permitted under,

19 the provisions of this title and which is filed with the
20 department by, on behalf of, or with respect to any person.
21 “Return” includes any amendment or supplement to these items,
22 including supporting schedules, attachments, or lists which are
23 supplemental to or part of the filed return.

24 Sec. 3. Section 421.60, subsection 2, paragraph e, Code
25 2018, is amended to read as follows:

26 e. ~~Unless otherwise provided by law, all~~ All Iowa taxes
27 which are administered by the department and which result in
28 a refund shall accrue interest at the rate in effect under
29 section 421.7 from the first day of the second calendar month
30 following the date of payment or the date the return upon
31 which the refund is claimed was due to be filed, including any
32 extensions, or was filed, whichever is the latest.

33 Sec. 4. Section 422.10, subsection 4, Code 2018, is amended
34 to read as follows:

35 4. Any credit in excess of the tax liability imposed by

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1 section 422.5 less the amounts of nonrefundable credits allowed
2 under this division for the taxable year shall be refunded
3 with interest ~~computed under section 422.25~~ in accordance
4 with section 421.60, subsection 2, paragraph “e”. In lieu of
5 claiming a refund, a taxpayer may elect to have the overpayment
6 shown on the taxpayer’s final, completed return credited to the
7 tax liability for the following taxable year.

8 Sec. 5. Section 422.16, subsection 9, Code 2018, is amended
9 to read as follows:

10 9. The amount of any overpayment of the individual income
11 tax liability of the employee taxpayer, nonresident, or other
12 person which may result from the withholding and payment of
13 withheld tax by the employer or withholding agent to the
14 department under subsections 1 and 12, as compared to the
15 individual income tax liability of the employee taxpayer,
16 nonresident, or other person properly and correctly determined
17 under the provisions of section 422.4, to and including section
18 422.25, may be credited against any income tax or installment
19 thereof then due the state of Iowa and any balance of one
20 dollar or more shall be refunded to the employee taxpayer,
21 nonresident, or other person with interest ~~at the rate in~~
22 ~~effect under section 421.7 for each month or fraction of a~~
23 ~~month, the interest to begin to accrue on the first day of~~
24 ~~the second calendar month following the date the return was~~
25 ~~due to be filed or was filed, whichever is the later date~~
26 in accordance with section 421.60, subsection 2, paragraph
27 “e”. Amounts less than one dollar shall be refunded to the
28 taxpayer, nonresident, or other person only upon written
29 application, in accordance with section 422.73, and only if
30 the application is filed within twelve months after the due
31 date of the return. Refunds in the amount of one dollar
32 or more provided for by this subsection shall be paid by

33 the treasurer of state by warrants drawn by the director of
 34 the department of administrative services, or an authorized
 35 employee of the department, and the taxpayer's return of

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1 income shall constitute a claim for refund for this purpose,
 2 except in respect to amounts of less than one dollar. There
 3 is appropriated, out of any funds in the state treasury not
 4 otherwise appropriated, a sum sufficient to carry out the
 5 provisions of this subsection.
 6 Sec. 6. Section 422.25, subsection 3, Code 2018, is amended
 7 to read as follows:

8 3.a. If the amount of the tax as determined by the
 9 department is less than the amount paid, the excess shall be
 10 refunded with interest, ~~the interest to begin to accrue on the~~
 11 ~~first day of the second calendar month following the date of~~
 12 ~~payment or the date the return was due to be filed, or the~~
 13 ~~extended due date by which the return was due to be filed if~~
 14 ~~ninety percent of the tax was paid by the original due date,~~
 15 ~~or was filed, whichever is the latest, at the rate in effect~~
 16 ~~under section 421.7 counting each fraction of a month as an~~
 17 ~~entire month under the rules prescribed by the director. If~~
 18 ~~an overpayment of tax results from a net operating loss or~~
 19 ~~net capital loss which is carried back to a prior year, the~~
 20 ~~overpayment, for purposes of computing interest on refunds,~~
 21 ~~shall be considered as having been made on the date a claim~~
 22 ~~for refund or amended return carrying back the net operating~~
 23 ~~loss or net capital loss is filed with the department or on the~~
 24 ~~first day of the second calendar month following the date of~~
 25 ~~the actual payment of the tax, whichever is later. However, in~~
 26 ~~accordance with section 421.60, subsection 2, paragraph "e"~~
 27 b. Notwithstanding section 421.60, subsection 2, paragraph
 28 "e", and paragraph "a" of this subsection, when the net
 29 operating loss or net capital loss carryback to a prior year
 30 eliminates or reduces an underpayment of tax due for an earlier
 31 year, the full amount of the underpayment of tax shall bear
 32 interest at the rate in effect under section 421.7 for each
 33 month counting each fraction of a month as an entire month from
 34 the due date of the tax for the earlier year to the last day of
 35 the taxable year in which the net operating loss or net capital

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1 loss occurred.
 2 Sec. 7. Section 422.28, Code 2018, is amended to read as
 3 follows:
 4 **422.28 Revision of tax.**
 5 A taxpayer may appeal to the director for revision of
 6 the tax, interest, or penalties assessed at any time within
 7 sixty days from the date of the notice of the assessment of
 8 tax, additional tax, interest, or penalties. The director

9 shall grant a hearing and if, upon the hearing, the director
 10 determines that the tax, interest, or penalties are excessive
 11 or incorrect, the director shall revise them according to
 12 the law and the facts and adjust the computation of the tax,
 13 interest, or penalties accordingly. The director shall notify
 14 the taxpayer by mail of the result of the hearing and shall
 15 refund to the taxpayer the amount, if any, paid in excess of
 16 the tax, interest, or penalties found by the director to be
 17 due, with interest accruing ~~from the first day of the second~~
 18 ~~calendar month following the date of payment by the taxpayer~~
 19 ~~at the rate in effect under section 421.7 for each month~~
 20 ~~or fraction of a month in accordance with section 421.60,~~
 21 subsection 2, paragraph "e".

22 Sec. 8. Section 422.33, subsection 5, paragraph f, Code
 23 2018, is amended to read as follows:

24 *f.* Any credit in excess of the tax liability for the
 25 taxable year shall be refunded with interest ~~computed under~~
 26 ~~section 422.25 in accordance with section 421.60, subsection~~
 27 2, paragraph "e". In lieu of claiming a refund, a taxpayer may
 28 elect to have the overpayment shown on its final, completed
 29 return credited to the tax liability for the following taxable
 30 year.

31 Sec. 9. Section 422.33, subsection 9, paragraph a, Code
 32 2018, is amended to read as follows:

33 *a.* The taxes imposed under this division shall be reduced by
 34 an assistive device tax credit. A small business purchasing,
 35 renting, or modifying an assistive device or making workplace

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1 modifications for an individual with a disability who is
 2 employed or will be employed by the small business is eligible,
 3 subject to availability of credits, to receive this assistive
 4 device tax credit which is equal to fifty percent of the
 5 first five thousand dollars paid during the tax year for the
 6 purchase, rental, or modification of the assistive device
 7 or for making the workplace modifications. Any credit in
 8 excess of the tax liability shall be refunded with interest
 9 ~~computed under section 422.25 in accordance with section~~
 10 421.60, subsection 2, paragraph "e". In lieu of claiming a
 11 refund, a taxpayer may elect to have the overpayment shown on
 12 the taxpayer's final, completed return credited to the tax
 13 liability for the following tax year. If the small business
 14 elects to take the assistive device tax credit, the small
 15 business shall not deduct for Iowa tax purposes any amount of
 16 the cost of an assistive device or workplace modifications
 17 which is deductible for federal income tax purposes.

18 Sec. 10. Section 422.91, Code 2018, is amended to read as
 19 follows:

20 **422.91 Credit for estimated tax.**

21 1. Any amount of estimated tax paid is a credit against
 22 the amount of tax due on a final, completed return, and any

23 overpayment of five dollars or more shall be refunded to the
 24 taxpayer with interest, ~~the interest to begin to accrue on~~
 25 ~~the first day of the second calendar month following the date~~
 26 ~~of payment or the date the return was due to be filed or was~~
 27 ~~filed, whichever is the latest, at the rate established under~~
 28 ~~section 421.7 in accordance with section 421.60, subsection 2,~~
 29 ~~paragraph “e,” and the return constitutes a claim for refund for~~
 30 this purpose. Amounts less than five dollars shall be refunded
 31 to the taxpayer only upon written application in accordance
 32 with section 422.73, and only if the application is filed
 33 within twelve months after the due date for the return.
 34 2. In lieu of claiming a refund, the taxpayer may elect
 35 to have the overpayment shown on its final, completed return

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1 for the taxable year credited to the tax liability for the
 2 following taxable year.
 3 Sec. 11. Section 423.4, subsection 1, paragraph c, Code
 4 2018, is amended to read as follows:
 5 c. Refunds authorized under this subsection shall accrue
 6 interest ~~at the rate in effect under section 421.7 from the~~
 7 ~~first day of the second calendar month following the date the~~
 8 ~~refund claim is received by the department in accordance with~~
 9 ~~section 421.60, subsection 2, paragraph “e.”~~
 10 Sec. 12. Section 423.4, subsection 6, paragraph c,
 11 subparagraph (2), Code 2018, is amended to read as follows:
 12 (2) Refunds authorized under this subsection shall accrue
 13 interest ~~at the rate in effect under section 421.7 from the~~
 14 ~~first day of the second calendar month following the date the~~
 15 ~~refund claim is received by the department in accordance with~~
 16 ~~section 421.60, subsection 2, paragraph “e.”~~
 17 Sec. 13. Section 450.94, subsection 3, Code 2018, is amended
 18 to read as follows:
 19 3. If the amount paid is greater than the correct tax,
 20 penalty, and interest due, the department shall refund the
 21 excess with interest. ~~Interest shall be computed at the rate~~
 22 ~~in effect under section 421.7, under the rules prescribed by~~
 23 ~~the director counting each fraction of a month as an entire~~
 24 ~~month and the interest shall begin to accrue on the first day~~
 25 ~~of the second calendar month following the date of payment~~
 26 ~~or on the date the return was due to be filed or was filed,~~
 27 ~~whichever is the latest in accordance with section 421.60,~~
 28 ~~subsection 2, paragraph “e.”~~ However, the director shall
 29 not allow a claim for refund or credit that has not been
 30 filed with the department within three years after the tax
 31 payment upon which a refund or credit is claimed became due,
 32 or one year after the tax payment was made, whichever time is
 33 later. A determination by the department of the amount of
 34 tax, penalty, and interest due, or the amount of refund for
 35 excess tax paid, is final unless the person aggrieved by the

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1 determination appeals to the director for a revision of the
2 determination within sixty days from the date of the notice
3 of determination of tax, penalty, and interest due or refund
4 owing or unless the taxpayer contests the determination by
5 paying the tax, interest, and penalty and timely filing a claim
6 for refund. The director shall grant a hearing, and upon the
7 hearing the director shall determine the correct tax, penalty,
8 and interest or refund due, and notify the appellant of the
9 decision by mail. The decision of the director is final unless
10 the appellant seeks judicial review of the director's decision
11 under section 450.59 within sixty days after the date of the
12 notice of the director's decision.

13 Sec. 14. Section 452A.65, subsection 1, Code 2018, is
14 amended to read as follows:

15 1. In addition to the tax or additional tax, the taxpayer
16 shall pay a penalty as provided in section 421.27. The
17 taxpayer shall also pay interest on the tax or additional
18 tax at the rate in effect under section 421.7 counting each
19 fraction of a month as an entire month, computed from the date
20 the return was required to be filed. If the amount of the tax
21 as determined by the appropriate state agency is less than the
22 amount paid, the excess shall be refunded with interest, ~~the~~
23 ~~interest to begin to accrue on the first day of the second~~
24 ~~calendar month following the date of payment or the date the~~
25 ~~return was due to be filed or was filed, whichever is the~~
26 ~~latest, at the rate in effect under section 421.7 counting~~
27 ~~each fraction of a month as an entire month under the rules~~
28 ~~prescribed by the appropriate state agency in accordance with~~
29 section 421.60, subsection 2, paragraph "e". Claims for
30 refund filed under sections 452A.17 and 452A.21 shall accrue
31 interest beginning with the first day of the second calendar
32 month following the date the refund claim is received by the
33 department.

34 Sec. 15. EFFECTIVE DATE. This division of this Act, being
35 deemed of immediate importance, takes effect upon enactment.

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1 Sec. 16. RETROACTIVE APPLICABILITY. This division of this
2 Act applies retroactively to January 1, 2018, for tax years
3 beginning on or after that date, and for refunds issued on or
4 after that date.

5 DIVISION II
6 TAX PENALTIES

7 Sec. 17. Section 421.27, subsection 6, Code 2018, is amended
8 to read as follows:

9 6. Improper receipt of refund or credit payments. A person
10 who makes an erroneous application for refund, ~~or credit,~~
11 reimbursement, rebate, or other payment shall be liable for any
12 overpayment received or tax liability reduced plus interest

13 at the rate in effect under section 421.7. In addition, a
 14 person who willfully makes a false or frivolous application
 15 for refund, ~~or credit, reimbursement, rebate, or other payment~~
 16 with intent to evade tax or with intent to receive a refund,
 17 ~~or credit, reimbursement, rebate, or other payment~~ to which
 18 the person is not entitled is guilty of a fraudulent practice
 19 and is liable for a penalty equal to seventy-five percent of
 20 the refund, ~~or credit, reimbursement, rebate, or other payment~~
 21 being claimed. Payments, penalties, and interest due under
 22 this subsection may be collected and enforced in the same
 23 manner as the tax imposed.

24 Sec. 18. Section 425.29, Code 2018, is amended to read as
 25 follows:

26 **425.29 False claim — penalty.**

27 A person who makes a false affidavit for the purpose
 28 of obtaining credit or reimbursement provided for in this
 29 division or who knowingly receives the credit or reimbursement
 30 without being legally entitled to it or makes claim for the
 31 credit or reimbursement in more than one county in the state
 32 without being legally entitled to it is guilty of a fraudulent
 33 practice. The claim for credit or reimbursement shall be
 34 disallowed in full and if the claim has been paid the amount
 35 shall be recovered in the manner provided in section 425.27.

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1 The department of revenue may impose penalties under section
 2 421.27. The department of revenue shall send a notice of
 3 disallowance of the claim.

4 Sec. 19.LEGISLATIVE INTENT. It is the intent of the
 5 general assembly that the provisions of this division of this
 6 Act are conforming amendments consistent with current state
 7 law, and that the amendments do not change the application of
 8 current law but instead reflect current law both before and
 9 after the enactment of this division of this Act.

10 Sec. 20.EFFECTIVE DATE. This division of this Act, being
 11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION III

13 MISCELLANEOUS TAX PROVISIONS

14 Sec. 21. Section 34A.7B, subsection 13, Code 2018, is
 15 amended to read as follows:

16 13. The department shall transfer all ~~remitted~~ reported
 17 prepaid wireless 911 surcharges to the treasurer of state
 18 for deposit in the 911 emergency communications fund created
 19 under section 34A.7A, subsection 2, within thirty days of
 20 receipt after deducting an amount, not to exceed two percent of
 21 collected surcharges, that shall be retained by the department
 22 to reimburse its direct costs of administering the collection
 23 and remittance of prepaid wireless 911 surcharges.

24 Sec. 22. Section 421.17, subsection 2, paragraph d, Code
 25 2018, is amended to read as follows:

26 *d.* To facilitate uniformity and equalization of

27 assessments throughout the state of Iowa and to facilitate
 28 transfers of funds to local governments, the director may
 29 use geographic information system technology and may require
 30 assessing authorities and local governments that have adopted
 31 compatible technology to provide information to the department
 32 electronically using electronic geographic information
 33 system file formats. The department of revenue shall act on
 34 behalf of political subdivisions and the state to deliver a
 35 consolidated response to the boundary and annexation survey

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1 and provide legal boundary geography data to the United States
 2 census bureau. The department shall coordinate with political
 3 subdivisions and the state to ensure that consistent, accurate,
 4 and integrated geography is provided to the United States
 5 census bureau. The office of the chief information officer
 6 shall provide geographic information system and technical
 7 support to the department to facilitate the exchange.

8 Sec. 23. Section 421.19, Code 2018, is amended to read as
 9 follows:

10 **421.19 Counsel.**

11 1. It shall be the duty of the attorney general and of
 12 the county attorneys in their respective counties to commence
 13 and prosecute actions, prosecutions, and complaints, when
 14 so directed by the director of revenue and to represent the
 15 director in any litigation arising from the discharge of the
 16 director's duties.

17 2. If the department has information that indicates a
 18 taxpayer intentionally filed a false claim, affidavit, return,
 19 or other information with intent to evade tax or to obtain
 20 a refund, credit, or other benefit from the department, the
 21 department may notify federal, state, or local law enforcement
 22 and may disclose state returns, state return information,
 23 state investigative or audit information, or any other state
 24 information to such law enforcement, notwithstanding sections
 25 422.20 and 422.72.

26 3. Notwithstanding sections 422.20 and 422.72, the
 27 department may disclose state returns, state return
 28 information, state investigative or audit information, or any
 29 other state information under this section.

30 **Sec. 24. NEW SECTION. 421.71 Class actions — implied right**
 31 **of action — private cause of action immunity.**

32 1. Class actions prohibited. No class action may be brought
 33 against the department, a taxpayer, or a person required to
 34 collect any tax imposed under this title, in any court, agency,
 35 or other adjudicative body, or in any other forum, based on

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1 any act or omission arising from or related to any provision
 2 of this title.

3 2. *No implied right of action.* Nothing in this title shall
 4 be construed as creating or providing an implied private right
 5 of action or any private common law claim against any taxpayer,
 6 or against any person required to collect any tax imposed under
 7 this title, in any court, agency, or other adjudicative body,
 8 or in any other forum. This subsection shall not apply to or
 9 otherwise limit any claim, action, mandate, power, remedy, or
 10 discretion of the department, or an agent or designee of the
 11 department.

12 3. *Private cause of action immunity for overpayment of*
 13 *certain taxes.*

14 a. A taxpayer, or any person required to collect taxes
 15 imposed under chapters 423, 423A, 423B, 423C, and 423D, and
 16 chapter 423G, as enacted in 2018 Iowa Acts, Senate File 512,
 17 shall be immune from any private cause of action arising from
 18 or related to the overpayment of taxes imposed under chapters
 19 423, 423A, 423B, 423C, and 423D, and chapter 423G, as enacted
 20 in 2018 Iowa Acts, Senate File 512, that are collected and
 21 remitted to the department.

22 b. Nothing in this subsection shall apply to or otherwise
 23 limit any of the following:

24 (1) Any claim, action, mandate, power, remedy, or
 25 discretion of the department, or an agent or designee of the
 26 department.

27 (2) A taxpayer's right to seek a refund from the department
 28 related to taxes imposed under chapters 423, 423A, 423B,
 29 423C, and 423D, and chapter 423G, as enacted in 2018 Iowa
 30 Acts, Senate File 512, that are collected from or paid by the
 31 taxpayer.

32 Sec. 25. Section 423G.5, subsection 1, as enacted by 2018
 33 Iowa Acts, Senate File 512, section 15, is amended to read as
 34 follows:

35 1. The director of revenue shall administer the water

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1 service tax as nearly as possible in conjunction with the
 2 administration of the state sales and use tax law, except that
 3 portion of the law that implements the streamlined sales and
 4 use tax agreement. The director shall provide appropriate
 5 forms, or provide on the regular state tax forms, for reporting
 6 water service tax liability, and for ease of administration may
 7 require water service tax liability to be identified, reported,
 8 and remitted to the department as sales and use tax liability,
 9 provided the department has the ability to properly identify
 10 such amounts as water service tax revenues upon receipt.

11 Sec. 26. Section 423G.6, subsection 2, paragraphs a, b, and
 12 c, as enacted by 2018 Iowa Acts, Senate File 512, section 16,
 13 are amended to read as follows:

14 a. For revenues ~~collected~~ reported on or after July 1, 2018,
 15 but before August 1, 2019, one-twelfth of the revenues to the
 16 water quality infrastructure fund created in section 8.57B,

17 and one-twelfth of the revenues to the water quality financial
18 assistance fund created in section 16.134A.

19 *b.* For revenues ~~collected~~ reported on or after August 1,
20 2019, but before August 1, 2020, one-sixth of the revenues to
21 the water quality infrastructure fund created in section 8.57B,
22 and one-sixth of the revenues to the water quality financial
23 assistance fund created in section 16.134A.

24 *c.* For revenues ~~collected~~ reported on or after August 1,
25 2020, one-half of the revenues to the water quality financial
26 assistance fund created in section 16.134A.

27 Sec. 27.IOWA ELECTION CAMPAIGN FUND TAX CHECKOFF AND
28 CONTRIBUTIONS — CREDIT TO GENERAL FUND. Notwithstanding
29 section 68A.601 or 422.12J, or any other provision of law to
30 the contrary, any amount of contribution to the Iowa election
31 campaign fund in section 68A.602 designated on an individual
32 income tax return for any tax year and filed on or after
33 January 1, 2018, is void and shall be disregarded, and such
34 contribution amount shall be credited to the general fund and
35 not to the Iowa election campaign fund.

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1 Sec. 28.EFFECTIVE DATE. The following, being deemed of
2 immediate importance, take effect upon enactment:

3 1. The section of this division of this Act relating to the
4 Iowa election campaign fund tax checkoff and contributions.

5 2. The section of this division of this Act enacting section
6 421.71.

7 Sec. 29.RETROACTIVE APPLICABILITY. The following applies
8 retroactively to January 1, 2018, for individual income tax
9 returns filed on or after that date:

10 The section of this division of this Act relating to the Iowa
11 election campaign fund tax checkoff and contributions.

12 DIVISION IV
13 TAX CREDITS

14 Sec. 30. Section 15E.52, subsection 8, Code 2018, is amended
15 to read as follows:

16 8. The board shall not certify an innovation fund after June
17 30, ~~2018~~ 2023.

18 Sec. 31. Section 403.19A, subsection 3, paragraph c,
19 subparagraph (2), Code 2018, is amended to read as follows:

20 (2) The pilot project city and the economic development
21 authority shall not enter into a withholding agreement after
22 June 30, ~~2018~~ 2019.

23 Sec. 32. Section 422.10, subsection 1, Code 2018, is amended
24 by adding the following new paragraph:

25 NEW PARAGRAPH. *0a.* An individual shall only be eligible for
26 the credit provided in this section if the business conducting
27 the research meets all of the following requirements:

28 (1)(a) The business is engaged in the manufacturing,
29 life sciences, software engineering, or aviation and aerospace
30 industry.

31 (b) Persons that shall not be considered to be engaged in
 32 the manufacturing, life sciences, software engineering, or
 33 aviation and aerospace industry, and thus are not eligible
 34 for the credit, include but are not limited to all of the
 35 following:

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1 (i) A person engaged in agricultural production as defined
 2 in section 423.1.
 3 (ii) A person who is a contractor, subcontractor, builder,
 4 or a contractor-retailer that engages in commercial and
 5 residential repair and installation, including but not limited
 6 to heating or cooling installation and repair, plumbing and
 7 pipe fitting, security system installation, and electrical
 8 installation and repair. For purposes of this subparagraph
 9 subdivision, "*contractor-retailer*" means a business that makes
 10 frequent retail sales to the public or to other contractors and
 11 that also engages in the performance of construction contracts.
 12 (iii) A finance or investment company.
 13 (iv) A retailer.
 14 (v) A wholesaler.
 15 (vi) A transportation company.
 16 (vii) A publisher.
 17 (viii) An agricultural cooperative association as defined
 18 in section 502.102.
 19 (ix) A real estate company.
 20 (x) A collection agency.
 21 (xi) An accountant.
 22 (xii) An architect.
 23 (2) The business claims and is allowed a research credit
 24 for such qualified research expenses under section 41 of the
 25 Internal Revenue Code for the same taxable year as it is
 26 claiming the credit provided in this section.
 27 Sec. 33. Section 422.10, subsection 3, Code 2018, is amended
 28 by adding the following new paragraph:
 29 NEW PARAGRAPH. *0a.* For purposes of this section, "*base*
 30 *amount*" means the product of the fixed-based percentage times
 31 the average annual gross receipts of the taxpayer for the four
 32 taxable years preceding the taxable year for which the credit
 33 is being determined, but in no event shall the base amount be
 34 less than fifty percent of the qualified research expenses for
 35 the credit year.

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1 Sec. 34. Section 422.10, subsection 3, paragraph a, Code
 2 2018, is amended to read as follows:
 3 a. For purposes of this section, "*base amount*"; "*basic*
 4 *research payment*"; and "*qualified research expense*" mean the
 5 same as defined for the federal credit for increasing research
 6 activities under section 41 of the Internal Revenue Code,

7 except that for the alternative simplified credit such amounts
8 are for research conducted within this state.
9 Sec. 35. Section 422.11S, subsection 6, paragraph a, Code
10 2018, is amended to read as follows:
11 a. *“Eligible student”* means a student who is a member of a
12 household whose total annual income during the calendar year
13 before the student receives a tuition grant for purposes of
14 this section does not exceed an amount equal to ~~three~~ four
15 times the most recently published federal poverty guidelines in
16 the federal register by the United States department of health
17 and human services.
18 Sec. 36. Section 422.11S, subsection 8, paragraph a,
19 subparagraph (2), Code 2018, is amended to read as follows:
20 (2) *“Total approved tax credits”* means for the tax year
21 beginning in the 2006 calendar year, two million five hundred
22 thousand dollars, for the tax year beginning in the 2007
23 calendar year, five million dollars, for tax years beginning
24 on or after January 1, 2008, but before January 1, 2012, seven
25 million five hundred thousand dollars, for tax years beginning
26 on or after January 1, 2012, but before January 1, 2014, eight
27 million seven hundred fifty thousand dollars, and for tax years
28 beginning on or after January 1, 2014, but before January 1,
29 2019, twelve million dollars, and for tax years beginning on or
30 after January 1, 2019, thirteen million dollars.
31 Sec. 37. Section 422.33, subsection 5, Code 2018, is amended
32 by adding the following new paragraph:
33 NEW PARAGRAPH. Oe. A corporation shall only be
34 eligible for the credit provided in this subsection if the
35 business conducting the research meets all of the following

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1 requirements:
2 (1)(a) The business is engaged in the manufacturing,
3 life sciences, software engineering, or aviation and aerospace
4 industry.
5 (b) Persons that shall not be considered to be engaged in
6 the manufacturing, life sciences, software engineering, or
7 aviation and aerospace industry, and thus are not eligible
8 for the credit, include but are not limited to all of the
9 following:
10 (i) A person engaged in agricultural production as defined
11 in section 423.1.
12 (ii) A person who is a contractor, subcontractor, builder,
13 or a contractor-retailer that engages in commercial and
14 residential repair and installation, including but not limited
15 to heating or cooling installation and repair, plumbing and
16 pipe fitting, security system installation, and electrical
17 installation and repair. For purposes of this subparagraph
18 subdivision, *“contractor-retailer”* means a business that makes
19 frequent retail sales to the public or to other contractors and
20 that also engages in the performance of construction contracts.

- 21 (iii) A finance or investment company.
- 22 (iv) A retailer.
- 23 (v) A wholesaler.
- 24 (vi) A transportation company.
- 25 (vii) A publisher.
- 26 (viii) An agricultural cooperative association as defined
- 27 in section 502.102.
- 28 (ix) A real estate company.
- 29 (x) A collection agency.
- 30 (xi) An accountant.
- 31 (xii) An architect.
- 32 (2) The business claims and is allowed a research credit
- 33 for such qualified research expenses under section 41 of the
- 34 Internal Revenue Code for the same taxable year as it is
- 35 claiming the credit provided in this subsection.

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1 Sec. 38. Section 422.33, subsection 5, paragraph e, Code
 2 2018, is amended by adding the following new subparagraph:
 3 NEW SUBPARAGRAPH. (01) For purposes of this section, “*base*
 4 *amount*” means the product of the fixed-based percentage times
 5 the average annual gross receipts of the taxpayer for the four
 6 taxable years preceding the taxable year for which the credit
 7 is being determined, but in no event shall the base amount be
 8 less than fifty percent of the qualified research expenses for
 9 the credit year.

10 Sec. 39. Section 422.33, subsection 5, paragraph e,
 11 subparagraph (1), Code 2018, is amended to read as follows:
 12 (1) For purposes of this subsection, “*base amount*”, “*basic*
 13 *research payment*”, and “*qualified research expense*” mean the
 14 same as defined for the federal credit for increasing research
 15 activities under section 41 of the Internal Revenue Code,
 16 except that for the alternative simplified credit such amounts
 17 are for research conducted within this state.

18 Sec. 40.2019 INTERIM TAX CREDIT STUDY.
 19 1. The legislative council is requested to authorize a
 20 study committee to evaluate tax credits available under Iowa
 21 law, including Iowa’s utilization of tax credits as a tool
 22 for promoting and supporting economic growth and development.
 23 The study committee shall also consider new or different
 24 tax credits or incentive programs, or tax rate or structure
 25 changes, that will foster economic growth and improve Iowa’s
 26 overall tax and economic development climate. The study
 27 committee shall make recommendations that the committee
 28 believes will improve predictability for the state’s budget,
 29 improve accountability to the taxpayers of Iowa, maximize
 30 flexibility in utilization, and place Iowa in the best position
 31 for attracting and retaining workers and businesses in the
 32 future. In developing recommendations, the study committee
 33 shall place significant emphasis on directing tax credits,
 34 incentive programs, or tax rate or structure changes toward

35 Iowa workers and programs to strengthen Iowa's workforce by

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1 incentivizing efforts to expand Iowans' skills and capabilities
2 in high-demand career fields.

3 2. The study committee shall consist of five members of
4 the senate, three of whom shall be appointed by the majority
5 leader of the senate and two of whom shall be appointed by
6 the minority leader of the senate, and five members of the
7 house of representatives, three of whom shall be appointed by
8 the speaker of the house of representatives and two of whom
9 shall be appointed by the minority leader of the house of
10 representatives.

11 3. The study committee shall meet during the 2019
12 legislative interim to make recommendations for consideration
13 during the 2020 legislative session in a report submitted to
14 the general assembly.

15 Sec. 41.LEGISLATIVE INTENT. It is the intent of the
16 general assembly that the provisions of this division of this
17 Act enacting section 422.10, subsection 3, paragraph "0a",
18 amending section 422.10, subsection 3, paragraph "a", enacting
19 section 422.33, subsection 5, paragraph e, subparagraph (01),
20 and amending section 422.33, subsection 5, paragraph "e",
21 subparagraph (1), are conforming amendments consistent with
22 current state law, and that the amendments do not change the
23 application of current law but instead reflect current law both
24 before and after the enactment of this division of this Act.

25 Sec. 42.REPEAL. Sections 422.10A and 422.11I, Code 2018,
26 are repealed.

27 Sec. 43.REPEAL. Section 422.11L, Code 2018, is repealed.

28 Sec. 44.EFFECTIVE DATE. The following, being deemed of
29 immediate importance, take effect upon enactment:

30 1. The section of this division of this Act amending section
31 15E.52, subsection 8.

32 2. The section of this division of this Act enacting section
33 422.10, subsection 1, paragraph "0a".

34 3. The section of this division of this Act enacting section
35 422.10, subsection 3, paragraph "0a".

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1 4. The section of this division of this Act amending section
2 422.10, subsection 3, paragraph "a".

3 5. The section of this division of this Act enacting section
4 422.33, subsection 5, paragraph "0e".

5 6. The section of this division of this Act enacting section
6 422.33, subsection 5, paragraph "e", subparagraph (01).

7 7. The section of this division of this Act amending section
8 422.33, subsection 5, paragraph "e", subparagraph (1).

9 8. The section of this division of this Act entitled
10 "legislative intent" which describes the intent of the general

11 assembly with respect to certain amendments in this division of
12 this Act to sections 422.10 and 422.33.

13 Sec. 45.EFFECTIVE DATE. The following take effect January
14 1, 2019:

15 1. The sections of this division of this Act amending
16 section 422.11S.

17 2. The section of this division of this Act repealing
18 sections 422.10A and 422.11I.

19 Sec. 46.RETROACTIVE APPLICABILITY. The following apply
20 retroactively to January 1, 2017, for tax years beginning on
21 or after that date:

22 1. The section of this division of this Act enacting section
23 422.10, subsection 1, paragraph "0a".

24 2. The section of this division of this Act enacting section
25 422.33, subsection 5, paragraph "0e".

26 Sec. 47.APPLICABILITY. The following apply to solar energy
27 system installations occurring on or after July 1, 2018:

28 The section of this division of this Act repealing section
29 422.11L.

30 Sec. 48.APPLICABILITY. The following applies to tax
31 years beginning on or after January 1, 2019, and to qualified
32 geothermal heat pump property installations occurring on or
33 after January 1, 2019:

34 The section of this division of this Act repealing sections
35 422.10A and 422.11I.

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1 DIVISION V

2 TAXPAYERS TRUST FUND AND TAXPAYERS TRUST FUND TAX CREDIT

3 Sec. 49. Section 8.55, subsection 2, paragraph a, Code 2018,
4 is amended to read as follows:

5 a. The first sixty million dollars of the difference
6 between the actual net revenue for the general fund of the
7 state for the fiscal year and the adjusted revenue estimate for
8 the fiscal year shall be transferred to the ~~taxpayers trust~~
9 taxpayer relief fund created in section 8.57E.

10 Sec. 50. Section 8.57E, Code 2018, is amended to read as
11 follows:

12 **8.57E Taxpayers trust Taxpayer relief fund.**

13 1. A ~~taxpayers trust~~ Taxpayer relief fund is created. The
14 fund shall be separate from the general fund of the state and
15 the balance in the fund shall not be considered part of the
16 balance of the general fund of the state. The moneys credited
17 to the fund are not subject to section 8.33 and shall not
18 be transferred, used, obligated, appropriated, or otherwise
19 encumbered except as provided in this section.

20 2. Moneys in the ~~taxpayers trust~~ taxpayer relief fund shall
21 only be used pursuant to appropriations or transfers made by
22 the general assembly for tax relief, including but not limited
23 to increases in the general retirement income exclusion under
24 section 422.7, subsection 31, or reductions in income tax

25 ~~rates. During each fiscal year beginning on or after July 1,~~
26 ~~2014, in which the balance of the taxpayers trust fund equals~~
27 ~~or exceeds thirty million dollars, there is transferred from~~
28 ~~the taxpayers trust fund to the Iowa taxpayers trust fund tax~~
29 ~~credit fund created in section 422.11E, the entire balance of~~
30 ~~the taxpayers trust fund to be used for the Iowa taxpayers~~
31 ~~trust fund tax credit in accordance with section 422.11E,~~
32 ~~subsection 5.~~
33 ~~3.a. Moneys in the taxpayers trust taxpayer relief~~
34 ~~fund may be used for cash flow purposes during a fiscal year~~
35 ~~provided that any moneys so allocated are returned to the fund~~

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1 by the end of that fiscal year.
2 ~~b. Except as provided in section 8.58, the taxpayers trust~~
3 ~~taxpayer relief fund shall be considered a special account for~~
4 ~~the purposes of section 8.53 in determining the cash position~~
5 ~~of the general fund of the state for the payment of state~~
6 ~~obligations.~~
7 4. Notwithstanding section 12C.7, subsection 2, interest or
8 earnings on moneys deposited in the ~~taxpayers trust taxpayer~~
9 ~~relief~~ fund shall be credited to the fund.
10 Sec. 51. Section 8.58, Code 2018, is amended to read as
11 follows:
12 **8.58 Exemption from automatic application.**
13 1. To the extent that moneys appropriated under section
14 8.57 do not result in moneys being credited to the general
15 fund under section 8.55, subsection 2, moneys appropriated
16 under section 8.57 and moneys contained in the cash reserve
17 fund, rebuild Iowa infrastructure fund, environment first fund,
18 Iowa economic emergency fund, ~~taxpayers trust taxpayer relief~~
19 ~~fund, and state bond repayment fund shall not be considered~~
20 ~~in the application of any formula, index, or other statutory~~
21 ~~triggering mechanism which would affect appropriations,~~
22 ~~payments, or taxation rates, contrary provisions of the Code~~
23 ~~notwithstanding.~~
24 2. To the extent that moneys appropriated under section
25 8.57 do not result in moneys being credited to the general fund
26 under section 8.55, subsection 2, moneys appropriated under
27 section 8.57 and moneys contained in the cash reserve fund,
28 rebuild Iowa infrastructure fund, environment first fund, Iowa
29 economic emergency fund, ~~taxpayers trust taxpayer relief~~ fund,
30 and state bond repayment fund shall not be considered by an
31 arbitrator or in negotiations under chapter 20.
32 Sec. 52. Section 257.21, subsection 2, Code 2018, is amended
33 to read as follows:
34 2. The instructional support income surtax shall be imposed
35 on the state individual income tax for the calendar year during

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1 which the school's budget year begins, or for a taxpayer's
 2 fiscal year ending during the second half of that calendar year
 3 and after the date the board adopts a resolution to participate
 4 in the program or the first half of the succeeding calendar
 5 year, and shall be imposed on all individuals residing in the
 6 school district on the last day of the applicable tax year.
 7 As used in this section, "*state individual income tax*" means
 8 the taxes computed under section 422.5, less the amounts of
 9 nonrefundable credits allowed under chapter 422, division II,
 10 ~~except for the Iowa taxpayers trust fund tax credit allowed~~
 11 ~~under section 422.11E.~~

12 Sec. 53. Section 422D.2, Code 2018, is amended to read as
 13 follows:

14 **422D.2 Local income surtax.**

15 A county may impose by ordinance a local income surtax as
 16 provided in section 422D.1 at the rate set by the board of
 17 supervisors, of up to one percent, on the state individual
 18 income tax of each individual residing in the county at the
 19 end of the individual's applicable tax year. However, the
 20 cumulative total of the percents of income surtax imposed on
 21 any taxpayer in the county shall not exceed twenty percent.
 22 The reason for imposing the surtax and the amount needed
 23 shall be set out in the ordinance. The surtax rate shall be
 24 set to raise only the amount needed. For purposes of this
 25 section, "*state individual income tax*" means the tax computed
 26 under section 422.5, less the amounts of nonrefundable credits
 27 allowed under chapter 422, division II, ~~except for the Iowa~~
 28 ~~taxpayers trust fund tax credit allowed under section 422.11E.~~

29 Sec. 54.REPEAL. Section 422.11E, Code 2018, is repealed.

30 Sec. 55.EFFECTIVE DATE. This division of this Act, being
 31 deemed of immediate importance, takes effect upon enactment.

32 Sec. 56.RETROACTIVE APPLICABILITY. The following apply
 33 retroactively to January 1, 2018, for tax years beginning on
 34 or after that date:

35 1. The section of this division of this Act amending section

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1 257.21.

2 2. The section of this division of this Act repealing
 3 section 422.11E.

4 3. The section of this division of this Act amending section
 5 422D.2.

6 DIVISION VI

7 TAXPAYERS TRUST FUND TRANSFER CAP

8 Sec. 57. Section 8.54, subsection 5, Code 2018, is amended
 9 by striking the subsection.

10 Sec. 58. Section 8.55, subsection 2, Code 2018, is amended
 11 to read as follows:

12 2. The maximum balance of the fund is the amount equal to

13 two and one-half percent of the adjusted revenue estimate for
 14 the fiscal year. If the amount of moneys in the Iowa economic
 15 emergency fund is equal to the maximum balance, moneys in
 16 excess of this amount shall be distributed as follows:

17 ~~a. The first sixty million dollars of the difference between~~
 18 ~~the actual net revenue for the general fund of the state for~~
 19 ~~the fiscal year and the adjusted revenue estimate for the~~
 20 ~~fiscal year shall be transferred to the taxpayers trust fund~~
 21 ~~created in section 8.57E.~~

22 ~~b. The remainder of the excess, if any, shall be transferred~~
 23 ~~to the general fund of the state.~~

24 Sec. 59. Section 8.58, Code 2018, is amended to read as
 25 follows:

26 **8.58 Exemption from automatic application.**

27 1. ~~To the extent that moneys appropriated under section~~
 28 ~~8.57 do not result in moneys being credited to the general fund~~
 29 ~~under section 8.55, subsection 2, moneys~~ Moneys appropriated
 30 under section 8.57 and moneys contained in the cash reserve
 31 fund, rebuild Iowa infrastructure fund, environment first fund,
 32 Iowa economic emergency fund, taxpayers trust fund, and state
 33 bond repayment fund shall not be considered in the application
 34 of any formula, index, or other statutory triggering mechanism
 35 which would affect appropriations, payments, or taxation rates,

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1 contrary provisions of the Code notwithstanding.

2 2. ~~To the extent that moneys appropriated under section~~
 3 ~~8.57 do not result in moneys being credited to the general fund~~
 4 ~~under section 8.55, subsection 2, moneys~~ Moneys appropriated
 5 under section 8.57 and moneys contained in the cash reserve
 6 fund, rebuild Iowa infrastructure fund, environment first fund,
 7 Iowa economic emergency fund, taxpayers trust fund, and state
 8 bond repayment fund shall not be considered by an arbitrator or
 9 in negotiations under chapter 20.

10 Sec. 60.EFFECTIVE DATE. This division of this Act takes
 11 effect July 1, 2019.

12 Sec. 61.APPLICABILITY. This division of this Act is first
 13 applicable to calculate the state general fund expenditure
 14 limitation for the fiscal year beginning July 1, 2019.

15 DIVISION VII

16 INDIVIDUAL INCOME TAX CHANGES BEGINNING IN TAX YEAR 2018

17 Sec. 62. Section 422.7, Code 2018, is amended by adding the
 18 following new subsections:

19 NEW SUBSECTION. 51.a. Notwithstanding any other provision
 20 of law to the contrary, the increased expensing allowance under
 21 section 179 of the Internal Revenue Code, as amended by Pub.
 22 L. No. 115-97, §13101, applies in computing net income for
 23 state tax purposes for tax years beginning on or after January
 24 1, 2018, subject to the limitations in this subsection for tax
 25 years beginning prior to January 1, 2020.

26 b. If the taxpayer has taken the increased expensing

27 allowance under section 179 of the Internal Revenue Code,
 28 as amended by Pub. L. No. 115-97, §13101, for purposes of
 29 computing federal adjusted gross income for tax years beginning
 30 on or after January 1, 2018, but before January 1, 2020, then
 31 the taxpayer shall make the following adjustments to federal
 32 adjusted gross income when computing net income for state tax
 33 purposes for the same tax year:
 34 (1) Add the total amount of expense deduction taken on
 35 section 179 property allowable for federal tax purposes under

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1 section 179 of the Internal Revenue Code, as amended by Pub.
 2 L. No. 115-97, §13101.
 3 (2)(a) For tax years beginning on or after January
 4 1, 2018, but before January 1, 2019, subtract the amount
 5 of expense deduction on section 179 property allowable for
 6 federal tax purposes under section 179 of the Internal Revenue
 7 Code, as amended by Pub. L. No. 115-97, §13101, not to exceed
 8 seventy thousand dollars. The subtraction in this subparagraph
 9 division shall be reduced, but not below zero, by the amount by
 10 which the total cost of section 179 property placed in service
 11 by the taxpayer during the tax year exceeds two hundred eighty
 12 thousand dollars.
 13 (b) For tax years beginning on or after January 1, 2019,
 14 but before January 1, 2020, subtract the amount of expense
 15 deduction on section 179 property allowable for federal tax
 16 purposes under section 179 of the Internal Revenue Code, as
 17 amended by Pub. L. No. 115-97, §13101, not to exceed one
 18 hundred thousand dollars. The subtraction in this subparagraph
 19 division shall be reduced, but not below zero, by the amount by
 20 which the total cost of section 179 property placed in service
 21 by the taxpayer during the tax year exceeds four hundred
 22 thousand dollars.
 23 (3) Any other adjustments to gains or losses necessary to
 24 reflect adjustments made in subparagraphs (1) and (2).
 25 c. The director shall adopt rules pursuant to chapter 17A
 26 to administer this subsection.
 27 NEW SUBSECTION. 52.a. For tax years beginning on or
 28 after January 1, 2018, but before January 1, 2020, a taxpayer
 29 may elect to take advantage of this subsection in lieu of
 30 subsection 51, but only if the taxpayer's total expensing
 31 allowance deduction for federal tax purposes under section 179
 32 of the Internal Revenue Code, as amended by Pub. L. No. 115-97,
 33 §13101, that is allocated to the taxpayer from one or more
 34 partnerships, S corporations, or limited liability companies
 35 electing to have the income taxed directly to the individual

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1 exceeds seventy thousand dollars for a tax year beginning
 2 during the 2018 calendar year, or exceeds one hundred thousand

3 dollars for a tax year beginning during the 2019 calendar year,
4 and would, except as provided in this subsection, be limited
5 for purposes of computing net income for state tax purposes
6 pursuant to subsection 51.

7 b. A taxpayer who elects to take advantage of this
8 subsection shall make the following adjustments to federal
9 adjusted gross income when computing net income for state tax
10 purposes:

11 (1) Add the total amount of section 179 expense
12 deduction allocated to the taxpayer from all partnerships, S
13 corporations, or limited liability companies electing to have
14 the income taxed directly to the individual, to the extent the
15 allocated amount was allowed as a deduction to the taxpayer
16 for federal tax purposes for the tax year under section 179 of
17 the Internal Revenue Code, as amended by Pub. L. No. 115-97,
18 §13101.

19 (2) From the amount added in subparagraph (1), do the
20 following:

21 (a) For tax years beginning on or after January 1, 2018,
22 but before January 1, 2019, subtract the first seventy thousand
23 dollars of expensing allowance deduction on section 179
24 property.

25 (b) For tax years beginning on or after January 1, 2019,
26 but before January 1, 2020, subtract the first one hundred
27 thousand dollars of expensing allowance deduction on section
28 179 property.

29 (3) The remaining amount, equal to the difference between
30 the amount added in subparagraph (1), and the amount subtracted
31 in subparagraph (2), may be deducted by the taxpayer but such
32 deduction shall be amortized equally over five tax years
33 beginning in the following tax year.

34 (4) Any other adjustments to gains or losses necessary to
35 reflect adjustments made in subparagraphs (1) through (3).

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1 c. A taxpayer who elects to take advantage of this
2 subsection shall not take the increased expensing allowance
3 under section 179 of the Internal Revenue Code, as amended by
4 Pub. L. No. 115-97, §13101, for any section 179 property placed
5 in service by the taxpayer in computing adjusted gross income
6 for state tax purposes. If the taxpayer has taken any such
7 deduction for purposes of computing federal adjusted gross
8 income, the taxpayer shall make the following adjustments to
9 federal adjusted gross income when computing net income for
10 state tax purposes:

11 (1) Add the total amount of expense deduction for federal
12 tax purposes taken on section 179 property placed in service by
13 the taxpayer under section 179 of the Internal Revenue Code, as
14 amended by Pub. L. No. 115-97, §13101.

15 (2) Subtract the amount of depreciation allowable on such
16 property under the modified accelerated cost recovery system

17 described in section 168 of the Internal Revenue Code, without
 18 regard to section 168(k) of the Internal Revenue Code. The
 19 taxpayer shall continue to take depreciation on the applicable
 20 property in future tax years to the extent allowed under the
 21 modified accelerated cost recovery system described in section
 22 168 of the Internal Revenue Code, without regard to section
 23 168(k) of the Internal Revenue Code.

24 (3) Any other adjustments to gains or losses necessary to
 25 reflect the adjustments made in subparagraphs (1) and (2).

26 *d.* The election made under this subsection is for one tax
 27 year and the taxpayer may elect or not elect to take advantage
 28 of this subsection in any subsequent tax year. However, not
 29 electing to take advantage of this subsection in a subsequent
 30 tax year shall not affect the taxpayer's ability to claim the
 31 tax deduction under paragraph "b", subparagraph (3), that
 32 originated from a previous tax year.

33 *e.* The director shall adopt rules pursuant to chapter 17A
 34 to administer this subsection.

35 Sec. 63. Section 422.9, subsection 2, paragraph h, Code

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1 2018, is amended to read as follows:

2 *h.* For purposes of calculating the deductions in this
 3 subsection that are authorized under the Internal Revenue Code,
 4 and to the extent that any of such deductions is determined by
 5 an individual's federal adjusted gross income, the individual's
 6 federal adjusted gross income is computed in accordance with
 7 section 422.7, subsections 39, 39A, 39B, 51, 52, and 53.

8 Sec. 64. TAX-FREE IRA DISTRIBUTIONS TO CERTAIN PUBLIC
 9 CHARITIES FOR INDIVIDUALS SEVENTY AND ONE-HALF YEARS OF AGE
 10 OR OLDER. Notwithstanding any other provision of law to the
 11 contrary, for tax years beginning during the 2018 calendar
 12 year, the exclusion from federal adjusted gross income for
 13 certain qualified charitable distributions from an individual
 14 retirement plan provided in section 408(d)(8) of the Internal
 15 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
 16 §112, applies in computing net income for state tax purposes.

17 Sec. 65. STATE SALES AND USE TAX DEDUCTION.

18 Notwithstanding any other provision of law to the contrary, for
 19 tax years beginning during the 2018 calendar year, a taxpayer
 20 who elects to itemize deductions for state tax purposes under
 21 section 422.9, subsection 2, is allowed to take the deduction
 22 for state sales and use tax in lieu of the deduction for state
 23 and local income taxes under section 164(b)(5) of the Internal
 24 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
 25 §106, in computing taxable income for state tax purposes, but
 26 only if the taxpayer elected to deduct state sales and use
 27 taxes in lieu of state and local income taxes for federal tax
 28 purposes for the same tax year.

29 Sec. 66. EARNED INCOME TAX CREDIT FOR 2018.

30 Notwithstanding the definition of "Internal Revenue Code"

31 in section 422.3, for tax years beginning during the 2018
 32 calendar year, any reference to the term "Internal Revenue
 33 Code" in section 422.12B shall mean the Internal Revenue Code
 34 of 1954, prior to the date of its redesignation as the Internal
 35 Revenue Code of 1986 by the Tax Reform Act of 1986, or means

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1 the Internal Revenue Code of 1986 as amended and in effect on
 2 January 1, 2016, but shall not be construed to include any
 3 amendment to the Internal Revenue Code enacted after January 1,
 4 2016, including any amendment with retroactive applicability
 5 or effectiveness.
 6 Sec. 67.ACCOUNTING METHOD AND OTHER MISCELLANEOUS
 7 COUPLING PROVISIONS FOR TAX YEAR 2018. Notwithstanding any
 8 other provision of law to the contrary, amendments to the
 9 Internal Revenue Code enacted in Pub. L. No. 115-97, §13102,
 10 §13221, §13504, §13541, §13543, §13611, and §13613, apply in
 11 calculating federal adjusted gross income or federal taxable
 12 income, as applicable, for state tax purposes for purposes of
 13 chapter 422 for tax years beginning during the 2018 calendar
 14 year to the extent those amendments affect the calculation of
 15 federal adjusted gross income or federal taxable income, as
 16 applicable, for federal tax purposes for tax years beginning
 17 during the 2018 calendar year.
 18 Sec. 68.TEACHER EXPENSE DEDUCTION. Notwithstanding
 19 any other provision of law to the contrary, for tax years
 20 beginning during the 2018 calendar year, a taxpayer is allowed
 21 to take the deduction for certain expenses of elementary and
 22 secondary school teachers allowed under section 62(a)(2)(D) of
 23 the Internal Revenue Code, as amended by Pub. L. No. 114-113,
 24 division Q, §104, in computing net income for state tax
 25 purposes.
 26 Sec. 69.EFFECTIVE DATE. This division of this Act, being
 27 deemed of immediate importance, takes effect upon enactment.
 28 Sec. 70.RETROACTIVE APPLICABILITY. Except as otherwise
 29 provided in this division of this Act, this division of this
 30 Act applies retroactively to January 1, 2018, for tax years
 31 beginning on or after that date, but before January 1, 2019.
 32 Sec. 71.RETROACTIVE APPLICABILITY. The following apply
 33 retroactively to January 1, 2018, for tax years beginning on
 34 or after that date:
 35 1. The section of this division of this Act enacting section

PAGE 30

1 422.7, subsections 51 and 52.
 2 2. The section of this division of this Act amending section
 3 422.9, subsection 2, paragraph "h".
 4 DIVISION VIII
 5 INDIVIDUAL AND CORPORATE INCOME TAX AND FRANCHISE TAX CHANGES
 6 BEGINNING IN TAX YEAR 2019

7 Sec. 72. Section 15.335, subsection 7, paragraph b, Code
 8 2018, is amended by striking the paragraph and inserting in
 9 lieu thereof the following:

10 *b.* For purposes of this section, “*Internal Revenue Code*”
 11 means the same as defined in section 422.3.

12 Sec. 73. Section 422.3, subsection 5, Code 2018, is amended
 13 to read as follows:

14 *5.* “*Internal Revenue Code*” means one of the following:

15 *a.* For tax years beginning during the 2019 calendar year,
 16 “*Internal Revenue Code*” means the Internal Revenue Code of
 17 1954, prior to the date of its redesignation as the Internal
 18 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
 19 the Internal Revenue Code of 1986 as amended and in effect on
 20 January 1, 2015 March 24, 2018. This definition shall not be
 21 construed to include any amendment to the Internal Revenue Code
 22 enacted after the date specified in the preceding sentence,
 23 including any amendment with retroactive applicability or
 24 effectiveness.

25 *b.* For tax years beginning on or after January 1, 2020,
 26 “*Internal Revenue Code*” means the Internal Revenue Code of
 27 1954, prior to the date of its redesignation as the Internal
 28 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
 29 Internal Revenue Code of 1986, as amended.

30 Sec. 74. Section 422.4, subsection 16, Code 2018, is amended
 31 to read as follows:

32 16. The words “*taxable income*” mean the net income as
 33 defined in section 422.7 minus the deductions allowed by
 34 section 422.9, in the case of individuals; in the case of
 35 estates or trusts, the words “*taxable income*” mean the taxable

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1 income (without a deduction for personal exemption) as
 2 computed for federal income tax purposes under the Internal
 3 Revenue Code, but with the following adjustments specified in
 4 section 422.7 plus the Iowa income tax deducted in computing
 5 the federal taxable income and minus federal income taxes as
 6 provided in section 422.9;

7 *a.* Add back the personal exemption deduction taken in
 8 computing federal taxable income.

9 *b.* Make the adjustments specified in section 422.7.

10 *c.* Add back Iowa income tax deducted in computing federal
 11 taxable income.

12 *d.* Subtract federal income taxes as provided in section
 13 422.9.

14 *e.* Add back the following percentage of the qualified
 15 business income deduction under section 199A of the Internal
 16 Revenue Code taken in calculating federal taxable income for
 17 the applicable tax year:

18 (1) For tax years beginning on or after January 1, 2019, but
 19 before January 1, 2021, seventy-five percent.

20 (2) For tax years beginning during the 2021 calendar year,

21 ~~fifty percent.~~

22 ~~(3) For tax years beginning on or after January 1, 2022,~~

23 ~~twenty-five percent.~~

24 ~~Sec. 75. Section 422.5, subsection 1, Code 2018, is amended~~
 25 ~~to read as follows:~~

26 ~~1.a. A tax is imposed upon every resident and nonresident~~
 27 ~~of the state which tax shall be levied, collected, and paid~~
 28 ~~annually upon and with respect to the entire taxable income~~
 29 ~~as defined in this division at rates as follows: provided in~~
 30 ~~section 422.5A.~~

31 ~~a. On all taxable income from zero through one thousand~~
 32 ~~dollars, thirty-six hundredths of one percent.~~

33 ~~b. On all taxable income exceeding one thousand dollars but~~
 34 ~~not exceeding two thousand dollars, seventy-two hundredths of~~
 35 ~~one percent.~~

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1 ~~e. On all taxable income exceeding two thousand dollars~~
 2 ~~but not exceeding four thousand dollars, two and forty-three~~
 3 ~~hundredths percent.~~

4 ~~d. On all taxable income exceeding four thousand dollars but~~
 5 ~~not exceeding nine thousand dollars, four and one-half percent.~~

6 ~~e. On all taxable income exceeding nine thousand dollars~~
 7 ~~but not exceeding fifteen thousand dollars, six and twelve~~
 8 ~~hundredths percent.~~

9 ~~f. On all taxable income exceeding fifteen thousand dollars~~
 10 ~~but not exceeding twenty thousand dollars, six and forty-eight~~
 11 ~~hundredths percent.~~

12 ~~g. On all taxable income exceeding twenty thousand dollars~~
 13 ~~but not exceeding thirty thousand dollars, six and eight-tenths~~
 14 ~~percent.~~

15 ~~h. On all taxable income exceeding thirty thousand dollars~~
 16 ~~but not exceeding forty-five thousand dollars, seven and~~
 17 ~~ninety-two hundredths percent.~~

18 ~~i. On all taxable income exceeding forty-five thousand~~
 19 ~~dollars, eight and ninety-eight hundredths percent.~~

20 ~~j. b.(1) The tax imposed upon the taxable income of a~~
 21 ~~nonresident shall be computed by reducing the amount determined~~
 22 ~~pursuant to paragraphs "a" through "i" paragraph "a" by the~~
 23 ~~amounts of nonrefundable credits under this division and by~~
 24 ~~multiplying this resulting amount by a fraction of which the~~
 25 ~~nonresident's net income allocated to Iowa, as determined in~~
 26 ~~section 422.8, subsection 2, paragraph "a", is the numerator and~~
 27 ~~the nonresident's total net income computed under section 422.7~~
 28 ~~is the denominator. This provision also applies to individuals~~
 29 ~~who are residents of Iowa for less than the entire tax year.~~

30 ~~(2)(a) The tax imposed upon the taxable income of a~~
 31 ~~resident shareholder in an S corporation or of an estate~~
 32 ~~or trust with a situs in Iowa that is a shareholder in an S~~
 33 ~~corporation, which S corporation has in effect for the tax~~
 34 ~~year an election under subchapter S of the Internal Revenue~~

35 Code and carries on business within and without the state,

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1 may be computed by reducing the amount determined pursuant
 2 to ~~paragraphs "a" through "i"~~ paragraph "a" by the amounts of
 3 nonrefundable credits under this division and by multiplying
 4 this resulting amount by a fraction of which the resident's
 5 or estate's or trust's net income allocated to Iowa, as
 6 determined in section 422.8, subsection 2, paragraph "b", is
 7 the numerator and the resident's or estate's or trust's total
 8 net income computed under section 422.7 is the denominator. If
 9 a resident shareholder, or an estate or trust with a situs in
 10 Iowa that is a shareholder, has elected to take advantage of
 11 this subparagraph (2), and for the next tax year elects not to
 12 take advantage of this subparagraph, the resident or estate or
 13 trust shareholder shall not reelect to take advantage of this
 14 subparagraph for the three tax years immediately following the
 15 first tax year for which the shareholder elected not to take
 16 advantage of this subparagraph, unless the director consents to
 17 the reelection. This subparagraph also applies to individuals
 18 who are residents of Iowa for less than the entire tax year.

19 (b) This subparagraph (2) shall not affect the amount of
 20 the taxpayer's checkoffs under this division, the credits from
 21 tax provided under this division, and the allocation of these
 22 credits between spouses if the taxpayers filed separate returns
 23 or separately on combined returns.

24 Sec. 76. Section 422.5, subsection 2, paragraph a, Code
 25 2018, is amended to read as follows:

26 a. There is imposed upon every resident and nonresident of
 27 this state, including estates and trusts, the greater of the
 28 tax determined in subsection 1, ~~paragraphs "a" through "j"~~, or
 29 the state alternative minimum tax equal to seventy-five percent
 30 of the maximum state individual income tax rate for the tax
 31 year, rounded to the nearest one-tenth of one percent, times
 32 the state alternative minimum taxable income of the taxpayer as
 33 computed under this subsection.

34 Sec. 77. NEW SECTION. 422.5A Tax rates.

35 The tax imposed in section 422.5 shall be calculated at the

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- 1 following rates:
- 2 1. On all taxable income from 0 through \$1,000, the rate of
 - 3 0.33 percent.
 - 4 2. On all taxable income exceeding \$1,000 but not exceeding
 - 5 \$2,000, the rate of 0.67 percent.
 - 6 3. On all taxable income exceeding \$2,000 but not exceeding
 - 7 \$4,000, the rate of 2.25 percent.
 - 8 4. On all taxable income exceeding \$4,000 but not exceeding
 - 9 \$9,000, the rate of 4.14 percent.
 - 10 5. On all taxable income exceeding \$9,000 but not exceeding

11 \$15,000, the rate of 5.63 percent.

12 6. On all taxable income exceeding \$15,000 but not exceeding
13 \$20,000, the rate of 5.96 percent.

14 7. On all taxable income exceeding \$20,000 but not exceeding
15 \$30,000, the rate of 6.25 percent.

16 8. On all taxable income exceeding \$30,000 but not exceeding
17 \$45,000, the rate of 7.44 percent.

18 9. On all taxable income exceeding \$45,000, the rate of 8.53
19 percent.

20 Sec. 78. Section 422.5, subsection 6, Code 2018, is amended
21 to read as follows:

22 6. Upon determination of the latest cumulative inflation
23 factor, the director shall multiply each dollar amount set
24 forth in ~~subsection 1, paragraphs "a" through "i" section~~
25 422.5A by this cumulative inflation factor, shall round
26 off the resulting product to the nearest one dollar, and
27 shall incorporate the result into the income tax forms and
28 instructions for each tax year.

29 Sec. 79. Section 422.7, subsection 39A, unnumbered
30 paragraph 1, Code 2018, is amended by striking the unnumbered
31 paragraph and inserting in lieu thereof the following:

32 The additional first-year depreciation allowance authorized
33 in section 168(k) of the Internal Revenue Code does not
34 apply in computing net income for state tax purposes. If the
35 taxpayer has taken the additional first-year depreciation

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1 allowance for purposes of computing federal adjusted gross
2 income, then the taxpayer shall make the following adjustments
3 to federal adjusted gross income when computing net income for
4 state tax purposes:

5 Sec. 80. Section 422.7, Code 2018, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 59.a. The rules for nonrecognition
8 of gain or loss from exchanges of real property held for
9 productive use or investment and not held primarily for sale,
10 as provided in section 1031 of the Internal Revenue Code, apply
11 for state income tax purposes with regard to exchanges of real
12 property.

13 b.(1) The rules for nonrecognition of gain or loss
14 from exchanges of property other than real property held for
15 productive use or investment as provided in section 1031 of the
16 Internal Revenue Code, as amended up to and including December
17 21, 2017, apply for state income tax purposes for tax years
18 beginning during the 2019 calendar year, notwithstanding any
19 other provision of law to the contrary. If the taxpayer's
20 federal adjusted gross income includes gain or loss from
21 property, other than real property described in paragraph "a",
22 and the taxpayer elects to have this paragraph apply, the
23 following adjustments shall be made:

24 (a)(i) Subtract the total amount of gain related to the

25 sale or exchange of the property as properly reported for
26 federal tax purposes under the Internal Revenue Code.
27 (ii) Add back any gain related to the sale or exchange
28 of the property to the extent such gain does not qualify for
29 deferral under section 1031 of the Internal Revenue Code, as
30 amended up to and including December 21, 2017, which gain
31 shall be calculated using the taxpayer's adjusted basis in the
32 property for state tax purposes.
33 (b)(i) Add the total amount of loss related to the sale or
34 exchange of the property as properly reported for federal tax
35 purposes under the Internal Revenue Code.

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1 (ii) Subtract any loss related to the sale or exchange
2 of the property to the extent such loss does not qualify for
3 deferral under section 1031 of the Internal Revenue Code, as
4 amended up to and including December 21, 2017, which loss
5 shall be calculated using the taxpayer's adjusted basis in the
6 property for state tax purposes.
7 (c) Any other adjustments to gains, losses, deductions, or
8 tax basis for the property given up or received in the sale or
9 exchange pursuant to rules adopted by the director.
10 (2) The director shall adopt rules pursuant to chapter 17A
11 to administer this paragraph.
12 c. This subsection is repealed January 1, 2020, for tax
13 years beginning on or after that date.
14 Sec. 81. Section 422.8, subsection 2, paragraph a, Code
15 2018, is amended to read as follows:
16 a. Nonresident's net income allocated to Iowa is the net
17 income, or portion of net income, which is derived from a
18 business, trade, profession, or occupation carried on within
19 this state or income from any property, trust, estate, or
20 other source within Iowa. However, income derived from a
21 business, trade, profession, or occupation carried on within
22 this state and income from any property, trust, estate, or
23 other source within Iowa shall not include distributions from
24 pensions, including defined benefit or defined contribution
25 plans, annuities, individual retirement accounts, and deferred
26 compensation plans or any earnings attributable thereto so long
27 as the distribution is directly related to an individual's
28 documented retirement and received while the individual is a
29 nonresident of this state. If a business, trade, profession,
30 or occupation is carried on partly within and partly without
31 the state, only the portion of the net income which is fairly
32 and equitably attributable to that part of the business,
33 trade, profession, or occupation carried on within the state
34 is allocated to Iowa for purposes of section 422.5, subsection
35 1, paragraph ~~"j"~~ "b", and section 422.13 and income from any

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1 property, trust, estate, or other source partly within and
2 partly without the state is allocated to Iowa in the same
3 manner, except that annuities, interest on bank deposits and
4 interest-bearing obligations, and dividends are allocated
5 to Iowa only to the extent to which they are derived from a
6 business, trade, profession, or occupation carried on within
7 the state. Net income described in section 29C.24, subsection
8 3, paragraph “a”, subparagraph (3), and paragraph “b”,
9 subparagraph (2), shall not be allocated and apportioned to the
10 state, as provided in section 29C.24.

11 Sec. 82. Section 422.9, unnumbered paragraph 1, Code 2018,
12 is amended to read as follows:

13 In computing taxable income of individuals, there shall be
14 deducted from net income the larger of the following amounts:
15 computed under subsection 1 or 2, plus the amount computed
16 under subsection 2A.

17 Sec. 83. Section 422.9, Code 2018, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 2A.a. The following percentage of the
20 qualified business income deduction under section 199A of the
21 Internal Revenue Code taken in calculating federal taxable
22 income for the applicable tax year:

23 (1) For tax years beginning on or after January 1, 2019, but
24 before January 1, 2021, twenty-five percent.

25 (2) For tax years beginning during the 2021 calendar year,
26 fifty percent.

27 (3) For tax years beginning on or after January 1, 2022,
28 seventy-five percent.

29 b. Notwithstanding paragraph “a”, and section 422.4,
30 subsection 16, paragraph “e”, for an entity electing or required
31 to file a composite return under section 422.13, subsection 5,
32 the deduction allowed under this subsection for purposes of the
33 composite return shall be an amount equal to the applicable
34 percentage described in paragraph “a” of the deduction that
35 would be allowable for federal income tax purposes under

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1 section 199A of the Internal Revenue Code by an individual
2 taxpayer reporting the same items of income and loss that are
3 included in the composite return.

4 Sec. 84. Section 422.9, subsection 2, paragraph i, Code
5 2018, is amended to read as follows:

6 i. The deduction for state sales and use taxes is allowable
7 only if the taxpayer elected to deduct the state sales and use
8 taxes in lieu of state income taxes under section 164 of the
9 Internal Revenue Code. A deduction for state sales and use
10 taxes is not allowed if the taxpayer has taken the deduction
11 for state income taxes or claimed the standard deduction under
12 section 63 of the Internal Revenue Code. This paragraph

13 applies to taxable years beginning after ~~December 31, 2003, and~~
 14 ~~before January 1, 2008, and to taxable years beginning after~~
 15 ~~December 31, 2009, and before January 1, 2015~~ December 31,
 16 2018.

17 Sec. 85. Section 422.9, subsection 2, Code 2018, is amended
 18 by adding the following new paragraph:

19 NEW PARAGRAPH. 1. The limitation on the deduction of
 20 certain taxes in section 164(b)(6) of the Internal Revenue
 21 Code does not apply in computing taxable income for state tax
 22 purposes. A taxpayer is allowed to deduct taxes in computing
 23 taxable income as otherwise provided in this subsection without
 24 regard to section 164(b)(6), as enacted by Pub. L. No. 115-97,
 25 §11042.

26 Sec. 86. Section 422.9, subsection 3, paragraph d, Code
 27 2018, is amended to read as follows:

28 *d.* Notwithstanding paragraph “a”, for a taxpayer who is
 29 engaged in the trade or business of farming as defined in
 30 section 263A(e)(4) of the Internal Revenue Code and has a loss
 31 from farming as defined in section ~~172(b)(1)(F)~~ 172(b)(1)(B) of
 32 the Internal Revenue Code including modifications prescribed by
 33 rule by the director, the Iowa loss from the trade or business
 34 of farming is a net operating loss which may be carried back
 35 five taxable years prior to the taxable year of the loss.

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1 Sec. 87. Section 422.9, subsection 5, Code 2018, is amended
 2 to read as follows:

3 5. A taxpayer affected by section 422.8 shall, ~~if the~~
 4 ~~optional standard deduction is not used,~~ be permitted to deduct
 5 only such portion of the total referred to in ~~subsection~~
 6 subsections 2 above and 2A as is fairly and equitably allocable
 7 to Iowa under the rules prescribed by the director.

8 Sec. 88. Section 422.9, subsections 6 and 7, Code 2018, are
 9 amended by striking the subsections.

10 Sec. 89. Section 422.10, subsection 3, paragraph b, Code
 11 2018, is amended by striking the paragraph.

12 Sec. 90. Section 422.11B, Code 2018, is amended to read as
 13 follows:

14 **422.11B Minimum tax credit.**

15 1.a. There is allowed as a credit against the tax
 16 determined in section 422.5, subsection 1, ~~paragraphs “a”~~
 17 ~~through “j”~~ for a tax year an amount equal to the minimum tax
 18 credit for that tax year.

19 *b.* The minimum tax credit for a tax year is the excess,
 20 if any, of the net minimum tax imposed for all prior tax
 21 years beginning on or after January 1, 1987, over the amount
 22 allowable as a credit under this section for those prior tax
 23 years.

24 2.a. The allowable credit under subsection 1 for a tax
 25 year shall not exceed the excess, if any, of the tax determined
 26 in section 422.5, subsection 1, ~~paragraphs “a” through “j”~~ over

27 the state alternative minimum tax as determined in section
28 422.5, subsection 2.

29 b. The net minimum tax for a tax year is the excess, if any,
30 of the tax determined in section 422.5, subsection 2, for the
31 tax year over the tax determined in section 422.5, subsection
32 1, ~~paragraphs “a” through “j”~~ for the tax year.

33 Sec. 91. Section 422.32, subsection 1, paragraph h, Code
34 2018, is amended to read as follows:

35 h. “Internal Revenue Code” means one of the following:

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1 (1) For tax years beginning during the 2019 calendar year,
2 “Internal Revenue Code” means the Internal Revenue Code of
3 1954, prior to the date of its redesignation as the Internal
4 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
5 the Internal Revenue Code of 1986 as amended and in effect on
6 January 1, 2015 March 24, 2018. This definition shall not be
7 construed to include any amendment to the Internal Revenue Code
8 enacted after the date specified in the preceding sentence,
9 including any amendment with retroactive applicability or
10 effectiveness.

11 (2) For tax years beginning on or after January 1, 2020,
12 “Internal Revenue Code” means the Internal Revenue Code of
13 1954, prior to the date of its redesignation as the Internal
14 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
15 Internal Revenue Code of 1986, as amended.

16 Sec. 92. Section 422.33, subsection 1, paragraphs a, b, c,
17 and d, Code 2018, are amended to read as follows:

18 a. On the first twenty-five thousand dollars of taxable
19 income, or any part thereof, the rate of six percent for tax
20 years beginning prior to January 1, 2021, and the rate of
21 five and one-half percent for tax years beginning on or after
22 January 1, 2021.

23 b. On taxable income between twenty-five thousand dollars
24 and one hundred thousand dollars or any part thereof, the rate
25 of eight percent for tax years beginning prior to January 1,
26 2021, and the rate of five and one-half percent for tax years
27 beginning on or after January 1, 2021.

28 c. On taxable income between one hundred thousand dollars
29 and two hundred fifty thousand dollars or any part thereof, the
30 rate of ten percent for tax years beginning prior to January 1,
31 2021, and the rate of nine percent for tax years beginning on
32 or after January 1, 2021.

33 d. On taxable income of two hundred fifty thousand dollars
34 or more, the rate of twelve percent for tax years beginning
35 prior to January 1, 2021, and the rate of nine and eight-tenths

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1 percent for tax years beginning on or after January 1, 2021.

2 Sec. 93. Section 422.33, subsection 4, paragraph a, Code

3 2018, is amended to read as follows:

4 a. In addition to all taxes imposed under this division,
5 there is imposed upon each corporation doing business within
6 the state the greater of the tax determined in subsection 1,
7 paragraphs "a" through "d" or the state alternative minimum tax
8 equal to sixty percent of the maximum state corporate income
9 tax rate for the tax year, rounded to the nearest one-tenth of
10 one percent, of the state alternative minimum taxable income of
11 the taxpayer computed under this subsection.

12 Sec. 94. Section 422.33, subsection 4, paragraph b,
13 subparagraph (1), Code 2018, is amended to read as follows:

14 (1) Add items of tax preference included in federal
15 alternative minimum taxable income under section 57, except
16 subsections (a)(1) and (a)(5), of the Internal Revenue Code,
17 make the adjustments included in federal alternative minimum
18 taxable income under section 56, except subsections (a)(4) and
19 (d), of the Internal Revenue Code, and add losses as required
20 by section 58 of the Internal Revenue Code. In making the
21 adjustment under section 56(c)(1) of the Internal Revenue Code,
22 interest and dividends from federal securities and interest
23 and dividends from state and other political subdivisions and
24 from regulated investment companies exempt from federal income
25 tax under the Internal Revenue Code, net of amortization of
26 any discount or premium, shall be subtracted. For purposes of
27 this subparagraph, "Internal Revenue Code" means the Internal
28 Revenue Code of 1954, prior to the date of its redesignation
29 as the Internal Revenue Code of 1986 by the Tax Reform Act of
30 1986, or means the Internal Revenue Code of 1986 as amended and
31 in effect on December 21, 2017. This definition shall not be
32 construed to include any amendment to the Internal Revenue Code
33 enacted after the date specified in the preceding sentence,
34 including any amendment with retroactive applicability or
35 effectiveness.

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1 Sec. 95. Section 422.33, subsection 4, Code 2018, is amended
2 by adding the following new paragraph:

3 NEW PARAGRAPH. c. This subsection is repealed January 1,
4 2021, for tax years beginning on or after that date.

5 Sec. 96. Section 422.33, subsection 5, paragraph e,
6 subparagraph (2), Code 2018, is amended by striking the
7 subparagraph.

8 Sec. 97. Section 422.33, subsection 7, Code 2018, is amended
9 to read as follows:

10 7.a.(1) There For tax years beginning before January 1,
11 2022, there is allowed as a credit against the tax determined
12 in subsection 1 for a tax year an amount equal to the minimum
13 tax credit for that tax year.

14 (2) The minimum tax credit for a tax year is the excess,
15 if any, of the net minimum tax imposed for all prior tax years
16 beginning on or after January 1, 1987, but before January

17 1, 2021, over the amount allowable as a credit under this
 18 subsection for those prior tax years.

19 *b.*(1) The allowable credit under paragraph “a” for a tax
 20 year beginning before January 1, 2021, shall not exceed the
 21 excess, if any, of the tax determined in subsection 1 over
 22 the state alternative minimum tax as determined in subsection
 23 4. The allowable credit under paragraph “a” for a tax year
 24 beginning in the 2021 calendar year shall not exceed the tax
 25 determined in subsection 1.

26 (2) The net minimum tax for a tax year is the excess, if
 27 any, of the tax determined in subsection 4 for the tax year
 28 over the tax determined in subsection 1 for the tax year.

29 *c.* This subsection is repealed January 1, 2022, for tax
 30 years beginning on or after that date.

31 Sec. 98. Section 422.35, subsection 4, Code 2018, is amended
 32 to read as follows:

33 *4.a.* ~~Subtract~~ For tax years beginning before January 1,
 34 2022, subtract fifty percent of the federal income taxes paid
 35 ~~or accrued, as the case may be, during the tax year to the~~

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1 extent payment is for a tax year beginning prior to January 1,
 2 2021, adjusted by any federal income tax refunds; and add the
 3 lowa income tax deducted in computing said taxable income to
 4 the extent the tax was deducted for a tax year beginning prior
 5 to January 1, 2021.

6 *b.* Add the Iowa income tax deducted in computing federal
 7 taxable income.

8 Sec. 99. Section 422.35, Code 2018, is amended by adding the
 9 following new subsections:

10 NEW SUBSECTION. 14.a. The increased expensing allowance
 11 under section 179 of the Internal Revenue Code applies in
 12 computing net income for state tax purposes for tax years
 13 beginning on or after January 1, 2019, subject to the
 14 limitations in this subsection for tax years beginning on or
 15 after January 1, 2019, but before January 1, 2020.

16 *b.* If the taxpayer has taken the increased expensing
 17 allowance under section 179 of the Internal Revenue Code for
 18 purposes of computing federal taxable income for tax years
 19 beginning on or after January 1, 2019, but before January 1,
 20 2020, then the taxpayer shall make the following adjustments to
 21 federal taxable income when computing net income for state tax
 22 purposes for the same tax year:

23 (1) Add the total amount of expense deduction taken on
 24 section 179 property allowable for federal tax purposes under
 25 section 179 of the Internal Revenue Code.

26 (2) Subtract the amount of expense deduction on section
 27 179 property allowable for federal tax purposes under section
 28 179 of the Internal Revenue Code, not to exceed one hundred
 29 thousand dollars. The subtraction in this subparagraph shall
 30 be reduced, but not below zero, by the amount by which the

31 total cost of section 179 property placed in service by the
32 taxpayer during the tax year exceeds four hundred thousand
33 dollars.

34 (3) Any other adjustments to gains or losses necessary to
35 reflect adjustments made in subparagraphs (1) and (2).

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1 c. The director shall adopt rules pursuant to chapter 17A
2 to administer this subsection.
3 NEW SUBSECTION. 15.a. For tax years beginning on or
4 after January 1, 2019, but before January 1, 2020, a taxpayer
5 may elect to take advantage of this subsection in lieu of
6 subsection 14, but only if the taxpayer's total expensing
7 allowance deduction for federal tax purposes under section
8 179 of the Internal Revenue Code that is allocated to the
9 taxpayer from one or more partnerships or limited liability
10 companies electing to have the income taxed directly to the
11 owners exceeds one hundred thousand dollars and would, except
12 as provided in this subsection, be limited for purposes
13 of computing net income for state tax purposes pursuant to
14 subsection 14.

15 b. A taxpayer who elects to take advantage of this
16 subsection shall make the following adjustments to federal
17 taxable income when computing net income for state tax
18 purposes:

19 (1) Add the total amount of section 179 expense deduction
20 allocated to the taxpayer from all partnerships or limited
21 liability companies electing to have the income taxed directly
22 to the owners, to the extent the allocated amount was allowed
23 as a deduction to the taxpayer for federal tax purposes for the
24 tax year under section 179 of the Internal Revenue Code.

25 (2) From the amount added in subparagraph (1), subtract
26 the first one hundred thousand dollars of expensing allowance
27 deduction on section 179 property.

28 (3) The remaining amount, equal to the difference between
29 the amount added in subparagraph (1), and the amount subtracted
30 in subparagraph (2), may be deducted by the taxpayer but such
31 deduction shall be amortized equally over five tax years
32 beginning in the following tax year.

33 (4) Any other adjustments to gains or losses necessary to
34 reflect adjustments made in subparagraphs (1) through (3).

35 c. A taxpayer who elects to take advantage of this

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1 subsection shall not take the increased expensing allowance
2 under section 179 of the Internal Revenue Code for any section
3 179 property placed in service by the taxpayer in computing
4 taxable income for state tax purposes. If the taxpayer has
5 taken any such deduction for purposes of computing federal
6 taxable income, the taxpayer shall make the following

7 adjustments to federal taxable income when computing net income
8 for state tax purposes:

9 (1) Add the total amount of expense deduction for federal
10 tax purposes taken on section 179 property placed in service by
11 the taxpayer under section 179 of the Internal Revenue Code.

12 (2) Subtract the amount of depreciation allowable on such
13 property under the modified accelerated cost recovery system
14 described in section 168 of the Internal Revenue Code, without
15 regard to section 168(k) of the Internal Revenue Code. The
16 taxpayer shall continue to take depreciation on the applicable
17 property in future tax years to the extent allowed under the
18 modified accelerated cost recovery system described in section
19 168 of the Internal Revenue Code, without regard to section
20 168(k) of the Internal Revenue Code.

21 (3) Any other adjustments to gains or losses necessary to
22 reflect the adjustments made in subparagraphs (1) and (2).

23 *d.* The director shall adopt rules pursuant to chapter 17A
24 to administer this subsection.

25 Sec. 100. Section 422.35, subsection 19A, unnumbered
26 paragraph 1, Code 2018, is amended by striking the unnumbered
27 paragraph and inserting in lieu thereof the following:

28 The additional first-year depreciation allowance authorized
29 in section 168(k) of the Internal Revenue Code does not
30 apply in computing net income for state tax purposes. If the
31 taxpayer has taken the additional first-year depreciation
32 allowance for purposes of computing federal taxable income,
33 then the taxpayer shall make the following adjustments to
34 federal taxable income when computing net income for state tax
35 purposes:

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1 Sec. 101.EFFECTIVE DATE. This division of this Act takes
2 effect January 1, 2019.

3 Sec. 102.APPLICABILITY. This division of this Act applies
4 to tax years beginning on or after January 1, 2019.

5 DIVISION IX

6 FUTURE CONTINGENT INCOME AND CORPORATE TAX AND FRANCHISE TAX
7 CHANGES

8 Sec. 103. Section 12D.9, subsection 2, Code 2018, is amended
9 to read as follows:

10 2. State income tax treatment of the Iowa educational
11 savings plan trust shall be as provided in section 422.7,
12 subsections 18, 32, and 33.

13 Sec. 104. Section 217.39, Code 2018, is amended to read as
14 follows:

15 **217.39 Persecuted victims of World War II — reparations —**
16 **heirs.**

17 Notwithstanding any other law of this state, payments paid
18 to and income from lost property of a victim of persecution
19 for racial, ethnic, or religious reasons by Nazi Germany or
20 any other Axis regime or as an heir of such victim which is

21 ~~exempt from state income tax as provided described~~ in section
 22 422.7, subsection 35, Code 2018, shall not be considered as
 23 income or an asset for determining the eligibility for state or
 24 local government benefit or entitlement programs. The proceeds
 25 are not subject to recoupment for the receipt of governmental
 26 benefits or entitlements, and liens, except liens for child
 27 support, are not enforceable against these sums for any reason.

28 Sec. 105. Section 422.4, subsection 1, paragraphs b and c,
 29 Code 2018, are amended to read as follows:

30 *b. "Cumulative inflation factor"* means the product of the
 31 annual inflation factor for the ~~1988~~ calendar year beginning on
 32 January 1 of the calendar year that this division of this Act
 33 takes effect and all annual inflation factors for subsequent
 34 calendar years as determined pursuant to this subsection. The
 35 cumulative inflation factor applies to all tax years beginning

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1 on or after January 1 of the calendar year for which the latest
 2 annual inflation factor has been determined.

3 *c.* The annual inflation factor for the ~~1988~~ calendar year
 4 beginning on January 1 of the calendar year that this division
 5 of this Act takes effect is one hundred percent.

6 Sec. 106. Section 422.4, subsection 2, Code 2018, is amended
 7 by striking the subsection.

8 Sec. 107. Section 422.4, subsection 16, Code 2018, is
 9 amended by striking the subsection and inserting in lieu
 10 thereof the following:

11 16. "*Taxable income*" means, in the case of individuals,
 12 the net income as defined in section 422.7 minus the deduction
 13 allowed by section 422.9, if available. "*Taxable income*" means,
 14 in the case of estates or trusts, the taxable income without
 15 a deduction for personal exemption as computed for federal
 16 income tax purposes under the Internal Revenue Code, but with
 17 the adjustments specified in section 422.7, and the deduction
 18 allowed by section 422.9, if available.

19 Sec. 108. Section 422.5, subsection 1, paragraph j,
 20 subparagraph (2), subparagraph division (b), Code 2018, is
 21 amended to read as follows:

22 (b) This subparagraph (2) shall not affect the amount of
 23 the taxpayer's checkoffs under this division, the credits from
 24 tax provided under this division, and the allocation of these
 25 credits between spouses if the taxpayers filed separate returns
 26 ~~or separately on combined returns.~~

27 Sec. 109. Section 422.5, subsection 2, Code 2018, is amended
 28 by striking the subsection.

29 Sec. 110. Section 422.5, subsections 3 and 3B, Code 2018,
 30 are amended to read as follows:

31 3.a. The tax shall not be imposed on a resident or
 32 nonresident whose net income, as defined in section 422.7, is
 33 thirteen thousand five hundred dollars or less in the case
 34 of married persons filing jointly ~~or filing separately on a~~

35 ~~combined return~~, heads of household, and surviving spouses or

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1 nine thousand dollars or less in the case of all other persons;
 2 but in the event that the payment of tax under this division
 3 would reduce the net income to less than thirteen thousand five
 4 hundred dollars or nine thousand dollars as applicable, then
 5 the tax shall be reduced to that amount which would result
 6 in allowing the taxpayer to retain a net income of thirteen
 7 thousand five hundred dollars or nine thousand dollars as
 8 applicable. The preceding sentence does not apply to estates
 9 or trusts. For the purpose of this subsection, the entire net
 10 income, including any part of the net income not allocated
 11 to Iowa, shall be taken into account. For purposes of this
 12 subsection, net income includes all amounts of pensions or
 13 other retirement income, except for military retirement pay
 14 excluded under section 422.7, subsection 31A, paragraph "a",
 15 or section 422.7, subsection 31B, paragraph "a", received from
 16 any source which is not taxable under this division as a result
 17 of the government pension exclusions in section 422.7, or any
 18 other state law. In calculating net income for purposes of
 19 this subsection, any amount of itemized or standard deduction,
 20 personal exemption deduction, or qualified business income
 21 deduction that was allowed as a deduction in computing federal
 22 taxable income under the Internal Revenue Code shall be added
 23 back. If the combined net income of a husband and wife exceeds
 24 thirteen thousand five hundred dollars, neither of them shall
 25 receive the benefit of this subsection, and it is immaterial
 26 whether they file a joint return or separate returns. However,
 27 if a husband and wife file separate returns and have a combined
 28 net income of thirteen thousand five hundred dollars or less,
 29 neither spouse shall receive the benefit of this paragraph,
 30 if one spouse has a net operating loss and elects to carry
 31 back or carry forward the loss as provided under the Internal
 32 Revenue Code or in section 422.9, ~~subsection 3~~. A person who
 33 is claimed as a dependent by another person as defined in
 34 section 422.12 shall not receive the benefit of this subsection
 35 if the person claiming the dependent has net income exceeding

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1 thirteen thousand five hundred dollars or nine thousand dollars
 2 as applicable or the person claiming the dependent and the
 3 person's spouse have combined net income exceeding thirteen
 4 thousand five hundred dollars or nine thousand dollars as
 5 applicable.
 6 *b.* In lieu of the computation in subsection 1 ~~or 2~~, or in
 7 paragraph "a" of this subsection, if the married persons',
 8 filing jointly or ~~filing separately on a combined return~~,
 9 head of household's, or surviving spouse's net income exceeds
 10 thirteen thousand five hundred dollars, the regular tax imposed

11 under this division shall be the lesser of the maximum state
 12 individual income tax rate times the portion of the net income
 13 in excess of thirteen thousand five hundred dollars or the
 14 regular tax liability computed without regard to this sentence.
 15 Taxpayers electing to file separately shall compute the
 16 alternate tax described in this paragraph using the total net
 17 income of the husband and wife. The alternate tax described
 18 in this paragraph does not apply if one spouse elects to carry
 19 back or carry forward ~~the a net operating loss as provided~~
 20 under the Internal Revenue Code or in section 422.9, ~~subsection~~
 21 ~~3.~~

22 3B.a. The tax shall not be imposed on a resident or
 23 nonresident who is at least sixty-five years old on December
 24 31 of the tax year and whose net income, as defined in section
 25 422.7, is thirty-two thousand dollars or less in the case
 26 of married persons filing jointly ~~or filing separately on a~~
 27 ~~combined return~~, heads of household, and surviving spouses or
 28 twenty-four thousand dollars or less in the case of all other
 29 persons; but in the event that the payment of tax under this
 30 division would reduce the net income to less than thirty-two
 31 thousand dollars or twenty-four thousand dollars as applicable,
 32 then the tax shall be reduced to that amount which would result
 33 in allowing the taxpayer to retain a net income of thirty-two
 34 thousand dollars or twenty-four thousand dollars as applicable.
 35 The preceding sentence does not apply to estates or trusts.

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1 For the purpose of this subsection, the entire net income,
 2 including any part of the net income not allocated to Iowa,
 3 shall be taken into account. For purposes of this subsection,
 4 net income includes all amounts of pensions or other retirement
 5 income, except for military retirement pay excluded under
 6 section 422.7, subsection 31A, paragraph "a", or section 422.7,
 7 subsection 31B, paragraph "a", received from any source which is
 8 not taxable under this division as a result of the government
 9 pension exclusions in section 422.7, or any other state law.
 10 In calculating net income for purposes of this subsection, any
 11 amount of itemized or standard deduction, personal exemption
 12 deduction, or qualified business income deduction that was
 13 allowed as a deduction in computing federal taxable income
 14 under the Internal Revenue Code shall be added back. If the
 15 combined net income of a husband and wife exceeds thirty-two
 16 thousand dollars, neither of them shall receive the benefit
 17 of this subsection, and it is immaterial whether they file a
 18 joint return or separate returns. However, if a husband and
 19 wife file separate returns and have a combined net income of
 20 thirty-two thousand dollars or less, neither spouse shall
 21 receive the benefit of this paragraph, if one spouse has a net
 22 operating loss and elects to carry back or carry forward the
 23 loss as provided under the Internal Revenue Code or in section
 24 422.9, ~~subsection 3.~~ A person who is claimed as a dependent by

25 another person as defined in section 422.12 shall not receive
26 the benefit of this subsection if the person claiming the
27 dependent has net income exceeding thirty-two thousand dollars
28 or twenty-four thousand dollars as applicable or the person
29 claiming the dependent and the person's spouse have combined
30 net income exceeding thirty-two thousand dollars or twenty-four
31 thousand dollars as applicable.
32 *b.* In lieu of the computation in subsection 1, ~~2,~~ or 3, if
33 the married persons', filing jointly ~~or filing separately on~~
34 ~~a combined return~~, head of household's, or surviving spouse's
35 net income exceeds thirty-two thousand dollars, the regular

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1 tax imposed under this division shall be the lesser of the
2 maximum state individual income tax rate times the portion of
3 the net income in excess of thirty-two thousand dollars or the
4 regular tax liability computed without regard to this sentence.
5 Taxpayers electing to file separately shall compute the
6 alternate tax described in this paragraph using the total net
7 income of the husband and wife. The alternate tax described
8 in this paragraph does not apply if one spouse elects to carry
9 back or carry forward ~~the a net operating~~ loss as provided
10 ~~under the Internal Revenue Code or in section 422.9, subsection~~
11 ~~3.~~

12 *c.* This subsection applies even though one spouse has not
13 attained the age of sixty-five, if the other spouse is at least
14 sixty-five at the end of the tax year.

15 Sec. 111. Section 422.5A, as enacted in this Act, Code
16 2018, is amended by striking the section and inserting in lieu
17 thereof the following:

18 **422.5A Tax rates.**

19 1. The tax imposed in section 422.5 shall be calculated
20 at the following rates in the case of a married couple filing
21 jointly:

22 *a.* On all taxable income from 0 through \$12,000, the rate of
23 4.40 percent.

24 *b.* On all taxable income exceeding \$12,000 but not exceeding
25 \$60,000, the rate of 4.82 percent.

26 *c.* On all taxable income exceeding \$60,000 but not exceeding
27 \$150,000, the rate of 5.70 percent.

28 *d.* On all taxable income exceeding \$150,000, the rate of
29 6.50 percent.

30 2. The tax imposed in section 422.5 shall be calculated at
31 the following rates in the case of any taxpayer other than a
32 married couple filing jointly:

33 *a.* On all taxable income from 0 through \$6,000, the rate of
34 4.40 percent.

35 *b.* On all taxable income exceeding \$6,000 but not exceeding

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1 \$30,000, the rate of 4.82 percent.

2 c. On all taxable income exceeding \$30,000 but not exceeding
3 \$75,000, the rate of 5.70 percent.

4 d. On all taxable income exceeding \$75,000, the rate of 6.50
5 percent.

6 Sec. 112. Section 422.7, unnumbered paragraph 1, Code 2018,
7 is amended to read as follows:

8 The term "*net income*" means the ~~adjusted gross income before~~
9 ~~the net operating loss deduction~~ taxable income as properly
10 computed for federal income tax purposes under section 63 of
11 the Internal Revenue Code, with the following adjustments:

12 Sec. 113. Section 422.7, Code 2018, is amended by adding the
13 following new subsections:

14 NEW SUBSECTION. 4. Add any federal net operating loss
15 deduction carried over from a taxable year beginning prior to
16 January 1 of the calendar year that this division of this Act
17 takes effect.

18 NEW SUBSECTION. 6.a. For tax years beginning in the
19 calendar year that this division of this Act takes effect,
20 subtract the amount of federal income taxes paid during the
21 tax year to the extent payment is for a tax year beginning
22 prior to January 1 of the calendar year that this division of
23 this Act takes effect, and add any federal income tax refunds
24 received during the tax year to the extent the federal income
25 tax was deducted for a tax year beginning prior to January 1 of
26 the calendar year that this division of this Act takes effect.
27 Where married persons who have filed a joint federal income
28 tax return file separately for state tax purposes, such total
29 shall be divided between them according to the portion of the
30 total paid by each. Federal income taxes paid for a tax year
31 in which an Iowa return was not required to be filed shall not
32 be subtracted.

33 b. Notwithstanding any other provision of law to the
34 contrary, amounts subtracted or added pursuant to this
35 subsection shall not be included in the calculation of net

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1 income for purposes of section 422.5, subsection 3 or 3B, or
2 section 422.13.

3 Sec. 114. Section 422.7, subsection 5, Code 2018, is amended
4 to read as follows:

5 5. Individual taxpayers and married taxpayers who file a
6 joint federal income tax return and who elect to file a joint
7 return; or separate returns; or separate filing on a combined
8 ~~return~~ for Iowa income tax purposes; may avail themselves of
9 the disability income exclusion and shall compute the amount
10 of the disability income exclusion subject to the limitations
11 for joint federal income tax return filers provided by section
12 105(d) of the Internal Revenue Code. The disability income

13 exclusion provided in section 105(d) of the Internal Revenue
14 Code, as amended up to and including December 31, 1982,
15 continues to apply for state income tax purposes for tax years
16 beginning on or after January 1, 1984.

17 Sec. 115. Section 422.7, subsection 13, Code 2018, is
18 amended by striking the subsection and inserting in lieu
19 thereof the following:

20 13. Subtract, to the extent included, the amount of social
21 security benefits taxable under section 86 of the Internal
22 Revenue Code.

23 Sec. 116. Section 422.7, Code 2018, is amended by adding the
24 following new subsections:

25 NEW SUBSECTION. 18. Add, to the extent deducted for federal
26 tax purposes, charitable contributions under section 170 of
27 the Internal Revenue Code to the extent such contribution was
28 made to an organization for the purpose of deposit in the Iowa
29 education savings plan trust established in chapter 12D, and
30 the taxpayer designated that any part of the contribution be
31 used for the direct benefit of any dependent of the taxpayer or
32 any other single beneficiary designated by the taxpayer.

33 NEW SUBSECTION. 19.a. Subtract, to the extent included,
34 income resulting from the payment by an employer of the
35 taxpayer, whether paid to the taxpayer or to a lender, of

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1 principal or interest on any qualified education loan incurred
2 by the taxpayer.

3 b. If the taxpayer has a deduction in computing federal
4 taxable income under section 221 of the Internal Revenue Code
5 for interest on a qualified education loan, the taxpayer shall
6 recompute for purposes of this subsection the amount of the
7 deduction under paragraph "a" by not subtracting any amount of
8 income resulting from the employer's payment of interest on a
9 qualified education loan that was also deducted by the taxpayer
10 under section 221 of the Internal Revenue Code.

11 c. For purposes of this subsection, "*qualified education*
12 *loan*" means the same as defined in section 221 of the Internal
13 Revenue Code.

14 Sec. 117. Section 422.7, subsection 21, Code 2018, is
15 amended by striking the subsection and inserting in lieu
16 thereof the following:

17 21.a. For purposes of this subsection:

18 (1) "*Farming business*" means the raising and harvesting
19 of crops or forest or fruit trees, the rearing, feeding, and
20 management of livestock, or horticulture, all for intended
21 profit.

22 (2) "*Held*" shall be determined with reference to the holding
23 period provisions of section 1223 of the Internal Revenue Code
24 and the federal regulations pursuant thereto.

25 (3) "*Materially participated*" means the same as "*material*
26 *participation*" in section 469(h) of the Internal Revenue Code.

27 (4)(a) *“Real property used in a farming business”* means all
 28 tracts of land and the improvements and structures located on
 29 them which are in good faith used primarily for agricultural
 30 purposes except buildings which are primarily used or intended
 31 for human habitation. Land and the nonresidential improvements
 32 and structures located on it shall be considered to be used
 33 primarily for agricultural purposes if its principal use is
 34 devoted to the raising and harvesting of crops or forest or
 35 fruit trees, the rearing, feeding, and management of livestock,

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1 or horticulture, all for intended profit. Woodland, wasteland,
 2 and pastureland shall qualify but only if such land is held or
 3 operated in conjunction with real property that otherwise meets
 4 the requirements of this paragraph.

5 (b) Real property classified as agricultural property for
 6 Iowa property tax purposes, except real property described
 7 in section 441.21, subsection 12, paragraphs “a” or “b”,
 8 shall be presumed to be real property used in a farming
 9 business. This presumption is rebuttable by the department by
 10 a preponderance of evidence that the real property did not meet
 11 the requirements of subparagraph division (a).

12 (5) *“Relative”* means an individual that satisfies one or
 13 more of the following conditions:

14 (a) The individual is related to the taxpayer by
 15 consanguinity within the second degree as determined by common
 16 law.

17 (b) The individual is a lineal descendent of the taxpayer.
 18 For purposes of this subparagraph division, *“lineal descendent”*
 19 means children of the taxpayer, including legally adopted
 20 children and biological children, stepchildren, grandchildren,
 21 great-grandchildren, and any other lineal descendent of the
 22 taxpayer.

23 b. Subtract the net capital gain from the sale of real
 24 property used in a farming business if all of the following
 25 conditions are satisfied:

26 (1) The taxpayer has materially participated in the farming
 27 business for a minimum of ten years immediately preceding the
 28 sale.

29 (2) The taxpayer has held the real property used in a
 30 farming business for a minimum of ten years immediately
 31 preceding the sale.

32 (3) The real property used in a farming business is sold to
 33 a relative of the taxpayer.

34 c.(1) If the relative to whom the taxpayer sold the
 35 real property used in a farming business that qualified

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1 for the deduction in this subsection subsequently sells or
 2 otherwise transfers all or part of said real property to a

3 person who is not a relative of the taxpayer within five years
4 of the original sale, the subsequent sale or transfer shall
5 be considered prima facie evidence that the original sale
6 was entered into by the taxpayer primarily to obtain the tax
7 benefits provided in this subsection, and the deduction under
8 this subsection for the original sale shall be disallowed for
9 the taxpayer with respect to that real property subsequently
10 sold or transferred by the relative.

11 (2) The prima facie determination in subparagraph (1) may be
12 rebutted by the taxpayer by a preponderance of evidence showing
13 that at the time of the original sale by the taxpayer of the
14 real property used in a farming business, all of the following
15 conditions were satisfied:

16 (a) The taxpayer had a substantial purpose for entering into
17 the sale transaction apart from the state tax benefits.

18 (b) The taxpayer did not intend that the real property would
19 subsequently be sold or transferred to a person who is not a
20 relative of the taxpayer.

21 (c) The taxpayer had no actual or constructive knowledge of
22 the buyer's intent to subsequently sell or transfer the real
23 property to a person who is not a relative of the taxpayer.

24 (3) Notwithstanding section 422.25, subsection 1, paragraph
25 "a", the period of limitation for examination and determination
26 of tax with regard to the deduction provided in this subsection
27 shall be one of the following dates, whichever occurs later:

28 (a) The date which is three years after the date that the
29 return upon which the deduction in this subsection is claimed
30 is filed.

31 (b) The date which is three years after the date that the
32 return upon which the deduction in this subsection is claimed
33 is due, including any extensions.

34 (c) The date which is six years after the date of the sale
35 of the real property used in a farming business for which the

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1 deduction in this subsection is claimed.

2 *d.* To the extent otherwise allowed, the deduction provided
3 in this subsection is not allowed for purposes of computing the
4 income for the taxable year or years for which a net operating
5 loss is deducted under the Internal Revenue Code or under
6 subsection 422.9.

7 Sec. 118. Section 422.7, subsection 29, Code 2018, is
8 amended to read as follows:

9 29.a. Subtract For a taxpayer who is sixty-five years
10 of age or older and whose net income is less than one hundred
11 thousand dollars, subtract, to the extent not otherwise
12 deducted in computing adjusted gross federal taxable income,
13 the amounts paid by the taxpayer for the purchase of health
14 benefits coverage or insurance for the taxpayer or taxpayer's
15 spouse or dependent.

16 *b.* For purposes of this subsection, "net income" means net

17 income as properly computed under this section without regard
 18 to the deduction in this subsection and with the following
 19 additional adjustments:

20 (1) Add back any amount of pensions or other retirement
 21 income received from any source which is not taxable under this
 22 division, including but not limited to amounts deductible under
 23 subsections 13, 31, 31A, and 31B.

24 (2) Add back any amount of itemized or standard deduction,
 25 personal exemption deduction, or qualified business income
 26 deduction that was allowed as a deduction from federal adjusted
 27 gross income in computing federal taxable income under the
 28 Internal Revenue Code.

29 Sec. 119. Section 422.7, subsection 31, Code 2018, is
 30 amended to read as follows:

31 31. For a person who is disabled, or is fifty-five years of
 32 age or older, or is the surviving spouse of an individual or
 33 a survivor having an insurable interest in an individual who
 34 would have qualified for the exemption under this subsection
 35 for the tax year, subtract, to the extent included, the

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1 total amount of a governmental or other pension or retirement
 2 pay, including, but not limited to, defined benefit or
 3 defined contribution plans, annuities, individual retirement
 4 accounts, plans maintained or contributed to by an employer,
 5 or maintained or contributed to by a self-employed person as
 6 an employer, and deferred compensation plans or any earnings
 7 attributable to the deferred compensation plans, up to a
 8 maximum of six thousand dollars for a person, other than a
 9 husband or wife, who files a separate state income tax return
 10 and up to a maximum of twelve thousand dollars for a husband
 11 and wife who file a joint state income tax return. However, a
 12 surviving spouse who is not disabled or fifty-five years of age
 13 or older can only exclude the amount of pension or retirement
 14 pay received as a result of the death of the other spouse. A
 15 husband and wife filing separate state income tax returns ~~or~~
 16 ~~separately on a combined state return~~ are allowed a combined
 17 maximum exclusion under this subsection of up to twelve
 18 thousand dollars. The twelve thousand dollar exclusion shall
 19 be allocated to the husband or wife in the proportion that each
 20 spouse's respective pension and retirement pay received bears
 21 to total combined pension and retirement pay received.

22 Sec. 120. Section 422.7, subsection 41, Code 2018, is
 23 amended by adding the following new paragraph:

24 NEW PARAGRAPH. *0e.* Add, to the extent deducted for
 25 federal tax purposes, interest, taxes, and other miscellaneous
 26 expenses to the extent such amounts are eligible home costs
 27 in connection with a qualified home purchase that were paid
 28 or reimbursed from funds in a first-time homebuyer savings
 29 account.

30 Sec. 121. Section 422.7, subsection 47, Code 2018, is

31 amended to read as follows:

32 47. Subtract, to the extent not otherwise deducted in
 33 computing ~~adjusted gross~~ federal taxable income, the amounts
 34 paid by the taxpayer to the department of veterans affairs for
 35 the purpose of providing grants under the injured veterans

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1 grant program established in section 35A.14. Amounts
 2 subtracted under this subsection shall not be used by the
 3 taxpayer in computing the amount of charitable contributions as
 4 defined by section 170 of the Internal Revenue Code.

5 Sec. 122. Section 422.7, subsections 3, 7, 8, 9, 10, 11, 14,
 6 15, 16, 20, 22, 24, 25, 26, 30, 35, 36, 37, 39, 39B, 40, 43, 45,
 7 49, 53, 55, 56, 57, and 58, Code 2018, are amended by striking
 8 the subsections.

9 Sec. 123. Section 422.8, subsection 4, Code 2018, is amended
 10 by striking the subsection.

11 Sec. 124. Section 422.9, Code 2018, is amended by striking
 12 the section and inserting in lieu thereof the following:

13 **422.9 Carry over of Iowa net operating loss.**

14 Any Iowa net operating loss carried over from a taxable year
 15 beginning prior to January 1 of the calendar year that this
 16 division of this Act takes effect may be deducted as provided
 17 in section 422.9, subsection 3, Code 2018.

18 Sec. 125. Section 422.11B, Code 2018, is amended to read as
 19 follows:

20 **422.11B Minimum tax credit.**

21 1.a. ~~There~~ For tax years beginning before January 1 of the
 22 calendar year following the calendar year that this division
 23 of this Act takes effect, there is allowed as a credit against
 24 the tax determined in section 422.5, subsection 1, ~~paragraphs~~
 25 ~~“a” through “j”~~ for a tax year an amount equal to the minimum
 26 tax credit for that tax year.

27 b. The minimum tax credit for a tax year is the excess, if
 28 any, of the net minimum tax imposed for all prior tax years
 29 beginning on or after January 1, 1987, but before January 1 of
 30 the calendar year that this division of this Act takes effect,
 31 over the amount allowable as a credit under this section for
 32 those prior tax years.

33 2.a. The allowable credit under subsection 1 for a tax
 34 year beginning before January 1 of the calendar year that this
 35 division of this Act takes effect shall not exceed the excess,

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1 if any, of the tax determined in section 422.5, subsection
 2 1, ~~paragraphs “a” through “j”~~ over the state alternative
 3 minimum tax as determined in section 422.5, subsection 2, Code
 4 2018. The allowable credit under subsection 1 for a tax year
 5 beginning in the calendar year that this division of this Act
 6 takes effect shall not exceed the tax determined under section

7 422.5, subsection 1.

8 b. The net minimum tax for a tax year is the excess, if
9 any, of the tax determined in section 422.5, subsection 2,
10 Code 2018, for the tax year over the tax determined in section
11 422.5, subsection 1, ~~paragraphs “a” through “j”~~ for the tax
12 year.

13 3. This section is repealed January 1 of the calendar year
14 following the calendar year that this division of this Act
15 takes effect, for tax years beginning on or after January 1
16 of the calendar year following the calendar year that this
17 division of this Act takes effect.

18 Sec. 126. Section 422.11S, subsection 4, Code 2018, is
19 amended to read as follows:

20 4. Married taxpayers who file separate returns ~~or file~~
21 ~~separately on a combined return form~~ must determine the tax
22 credit under subsection 1 based upon their combined net income
23 and allocate the total credit amount to each spouse in the
24 proportion that each spouse’s respective net income bears to
25 the total combined net income. Nonresidents or part-year
26 residents of Iowa must determine their tax credit in the ratio
27 of their Iowa source net income to their all source net income.
28 Nonresidents or part-year residents who are married and elect
29 to file separate returns ~~or to file separately on a combined~~
30 ~~return form~~ must allocate the tax credit between the spouses
31 in the ratio of each spouse’s Iowa source net income to the
32 combined Iowa source net income of the taxpayers.

33 Sec. 127. Section 422.12B, subsection 2, Code 2018, is
34 amended to read as follows:

35 2. Married taxpayers electing to file separate returns ~~or~~

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1 ~~filing separately on a combined return~~ may avail themselves
2 of the earned income credit by allocating the earned income
3 credit to each spouse in the proportion that each spouse’s
4 respective earned income bears to the total combined earned
5 income. Taxpayers affected by the allocation provisions of
6 section 422.8 shall be permitted a deduction for the credit
7 only in the amount fairly and equitably allocable to Iowa under
8 rules prescribed by the director.

9 Sec. 128. Section 422.12C, subsection 4, Code 2018, is
10 amended to read as follows:

11 4. Married taxpayers who have filed joint federal returns
12 electing to file separate returns ~~or to file separately on a~~
13 ~~combined return form~~ must determine the child and dependent
14 care credit under subsection 1 or the early childhood
15 development tax credit under subsection 2 based upon their
16 combined net income and allocate the total credit amount to
17 each spouse in the proportion that each spouse’s respective net
18 income bears to the total combined net income. Nonresidents
19 or part-year residents of Iowa must determine their Iowa child
20 and dependent care credit in the ratio of their Iowa source

21 net income to their all source net income. Nonresidents or
22 part-year residents who are married and elect to file separate
23 returns ~~or to file separately on a combined return form~~ must
24 allocate the Iowa child and dependent care credit between the
25 spouses in the ratio of each spouse's Iowa source net income to
26 the combined Iowa source net income of the taxpayers.

27 Sec. 129. Section 422.13, subsection 1, paragraph c, Code
28 2018, is amended by striking the paragraph.

29 Sec. 130. Section 422.16, subsection 1, paragraph f, Code
30 2018, is amended by striking the paragraph.

31 Sec. 131. Section 422.21, subsections 2, 5, and 7, Code
32 2018, are amended to read as follows:

33 2. An individual in the armed forces of the United States
34 serving in an area designated by the president of the United
35 States or the United States Congress as a combat zone or as a

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1 qualified hazardous duty area, or deployed outside the United
2 States away from the individual's permanent duty station while
3 participating in an operation designated by the United States
4 secretary of defense as a contingency operation as defined
5 in 10 U.S.C. §101(a)(13), or which became such a contingency
6 operation by the operation of law, or an individual serving in
7 support of those forces, is allowed the same additional time
8 period after leaving the combat zone or the qualified hazardous
9 duty area, or ceasing to participate in such contingency
10 operation, or after a period of continuous hospitalization, to
11 file a state income tax return or perform other acts related
12 to the department, as would constitute timely filing of the
13 return or timely performance of other acts described in section
14 7508(a) of the Internal Revenue Code. An individual on active
15 duty federal military service in the armed forces, armed forces
16 military reserve, or national guard who is deployed outside
17 the United States in other than a combat zone, qualified
18 hazardous duty area, or contingency operation is allowed the
19 same additional period of time described in section 7508(a)
20 of the Internal Revenue Code to file a state income tax
21 return or perform other acts related to the department. For
22 the purposes of this subsection, "*other acts related to the*
23 *department*" includes filing claims for refund for any tax
24 administered by the department, making tax payments other than
25 withholding payments, filing appeals on the tax matters, filing
26 other tax returns, and performing other acts described in the
27 department's rules. The additional time period allowed applies
28 to the spouse of the individual described in this subsection
29 to the extent the spouse files jointly ~~or separately on the~~
30 ~~combined return form~~ with the individual or when the spouse
31 is a party with the individual to any matter for which the
32 additional time period is allowed.

33 5. The director shall determine for the ~~1989~~ calendar year
34 that this division of this Act takes effect and each subsequent

35 calendar year the annual and cumulative inflation factors for

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1 each calendar year to be applied to tax years beginning on or
 2 after January 1 of that calendar year. The director shall
 3 compute the new dollar amounts as specified to be adjusted in
 4 section 422.5 by the latest cumulative inflation factor and
 5 round off the result to the nearest one dollar. The annual and
 6 cumulative inflation factors determined by the director are not
 7 rules as defined in section 17A.2, subsection 11. ~~The director
 8 shall determine for the 1990 calendar year and each subsequent
 9 calendar year the annual and cumulative standard deduction
 10 factors to be applied to tax years beginning on or after
 11 January 1 of that calendar year. The director shall compute
 12 the new dollar amounts of the standard deductions specified in
 13 section 422.9, subsection 1, by the latest cumulative standard
 14 deduction factor and round off the result to the nearest ten
 15 dollars. The annual and cumulative standard deduction factors
 16 determined by the director are not rules as defined in section
 17 17A.2, subsection 11.~~

18 7. If married taxpayers file a joint return ~~or file~~
 19 ~~separately on a combined return~~ in accordance with rules
 20 prescribed by the director, both spouses are jointly and
 21 severally liable for the total tax due on the return, except
 22 when one spouse is considered to be an innocent spouse under
 23 criteria established pursuant to section 6015 of the Internal
 24 Revenue Code.

25 Sec. 132. Section 422.35, unnumbered paragraph 1, Code
 26 2018, is amended to read as follows:

27 The term “*net income*” means the taxable income ~~before the~~
 28 ~~net operating loss deduction~~, as properly computed for federal
 29 income tax purposes under the Internal Revenue Code, with the
 30 following adjustments:

31 Sec. 133. Section 422.35, subsection 11, Code 2018, is
 32 amended by striking the subsection and inserting in lieu
 33 thereof the following:

34 11.a. Add any federal net operating loss deduction carried
 35 over from a taxable year beginning prior to January 1 of the

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1 calendar year that this division of this Act takes effect.

2 b. Any Iowa net operating loss carried over from a taxable
 3 year beginning prior to January 1 of the calendar year that
 4 this division of this Act takes effect may be deducted as
 5 provided in section 422.35, subsection 11, Code 2018.

6 Sec. 134. Section 422.35, subsections 3, 4, 5, 7, 8, 10,
 7 16, 17, 18, 19, 19B, 20, 22, and 24, Code 2018, are amended by
 8 striking the subsections.

9 Sec. 135. Section 541B.3, subsection 1, paragraph b, Code
 10 2018, is amended to read as follows:

11 *b.* A married couple electing to file a joint Iowa individual
 12 income tax return may establish a joint first-time homebuyer
 13 savings account. Married taxpayers electing to file separate
 14 tax returns ~~or separately on a combined tax return~~ for Iowa tax
 15 purposes shall not establish or maintain a joint first-time
 16 homebuyer savings account.

17 Sec. 136. Section 541B.6, Code 2018, is amended to read as
 18 follows:

19 **541B.6 Tax considerations.**

20 The state income tax treatment of a first-time homebuyer
 21 savings account shall be as provided in section 422.7,
 22 subsection 41, ~~and section 422.9, subsection 2, paragraph “k”.~~

23 Sec. 137. CONTINGENT EFFECTIVE DATE — NET GENERAL FUND
 24 REVENUES CALCULATION — ANNUAL REPORTS.

25 1. This division of this Act takes effect on January 1,
 26 2023, if both of the following conditions are satisfied:

27 a. The net general fund revenues for the fiscal year ending
 28 June 30, 2022, equal or exceed eight billion three hundred
 29 fourteen million six hundred thousand dollars.

30 b. The net general fund revenues for the fiscal year ending
 31 June 30, 2022, equal or exceed one hundred and four percent of
 32 the net general fund revenues for the fiscal year ending June
 33 30, 2021.

34 2. If the provisions of subsection 1 are not satisfied
 35 and this division of this Act does not take effect on January

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1 1, 2023, then this division of this Act shall take effect on
 2 January 1 following the first fiscal year for which both of the
 3 following conditions are satisfied:

4 a. The net general fund revenues for that fiscal year ending
 5 June 30 equal or exceed eight billion three hundred fourteen
 6 million six hundred thousand dollars.

7 b. The net general fund revenues for that fiscal year ending
 8 June 30 equal or exceed one hundred and four percent of the
 9 net general fund revenues for the fiscal year ending June 30
 10 immediately preceding that fiscal year.

11 3.a. For purposes of this section, “net general fund
 12 revenues” means total appropriated general fund revenues
 13 excluding transfers from reserve funds, less the sum of tax and
 14 other refunds and school infrastructure transfers, all made on
 15 an accrual basis as computed for purposes of the comprehensive
 16 annual financial reports of the state.

17 b. Net general fund revenues shall be calculated by
 18 the department of management, in consultation with the
 19 department of revenue, for each fiscal year beginning on
 20 or after July 1, 2020, until such time as this division of
 21 this Act takes effect, in accordance with rules adopted by
 22 the department of management. The department of management
 23 shall adopt rules pursuant to chapter 17A for calculating net
 24 general fund revenues as defined in paragraph “a”, including

25 rules defining “total appropriated general fund revenues”,
 26 “transfers from reserve funds”, “tax and other refunds”, and
 27 “school infrastructure transfers”, and including the types
 28 and categories of receipts that will be included within each
 29 definition and in the calculation of net general fund revenues.
 30 c. The department of management shall submit an annual
 31 report to the governor and general assembly by November 1
 32 following the close of each fiscal year beginning on or after
 33 July 1, 2020, until such time as this division of this Act
 34 takes effect, which report shall identify the net general fund
 35 revenues for the fiscal year and shall include a detailed

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1 description of the net general fund revenues calculation made
 2 by the department of management.

3 Sec. 138.APPLICABILITY. This division of this Act applies
 4 to tax years beginning on or after the effective date of this
 5 division of this Act.

6 DIVISION X

7 CHANGES TO IOWA EDUCATIONAL SAVINGS PLAN TRUST AND IOWA ABLE
 8 SAVINGS PLAN TRUST

9 Sec. 139. Section 12D.1, Code 2018, is amended to read as
 10 follows:

11 **12D.1 Purpose and definitions.**

12 1. The general assembly finds that the general welfare and
 13 well-being of the state are directly related to educational
 14 levels and skills of the citizens of the state, and that a
 15 vital and valid public purpose is served by the creation and
 16 implementation of programs which encourage and make possible
 17 the attainment of higher formal education by the greatest
 18 number of citizens of the state. ~~The state has limited~~
 19 ~~resources to provide additional programs for higher education~~
 20 ~~funding and the continued operation and maintenance of the~~
 21 ~~state's public institutions of higher education and the general~~
 22 welfare of the citizens of the state will be enhanced by
 23 establishing a program which allows citizens of the state to
 24 invest money in a public trust for future application to the
 25 payment of higher education costs qualified education expenses.
 26 The creation of the means of encouragement for citizens to
 27 invest in such a program represents the carrying out of a
 28 vital and valid public purpose. In order to make available
 29 to the citizens of the state an opportunity to fund future
 30 higher formal education needs, it is necessary that a public
 31 trust be established in which moneys may be invested for future
 32 educational use.

33 2. As used in this chapter, unless the context otherwise
 34 requires:

35 a. “*Account balance limit*” means the maximum allowable

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- 1 aggregate balance of accounts established for the same
 2 beneficiary. Account earnings, if any, are included in the
 3 account balance limit.
- 4 *b. "Administrative fund"* means the administrative fund
 5 established under section 12D.4.
- 6 *c. "Beneficiary"* means the individual designated by a
 7 participation agreement to benefit from advance payments of
 8 ~~higher education costs~~ qualified education expenses on behalf
 9 of the beneficiary.
- 10 *d. "Benefits"* means the payment of ~~higher education costs~~
 11 qualified education expenses on behalf of a beneficiary by the
 12 trust during the beneficiary's attendance at ~~an institution of~~
 13 ~~higher education~~ a qualified educational institution.
- 14 *e. "Higher education costs"* ~~means the same as "qualified~~
 15 ~~higher education expenses" as defined in section 529(e)(3) of~~
 16 ~~the Internal Revenue Code.~~
- 17 *f. e. "Institution of higher education"* means an institution
 18 described in section 481 of the federal Higher Education Act of
 19 1965, 20 U.S.C. §1088, which is eligible to participate in the
 20 United States department of education's student aid programs.
- 21 *g. f. "Internal Revenue Code"* means the same as defined
 22 in section 12I.1.
- 23 *h. g. "Iowa educational savings plan trust" or "trust"* means
 24 the trust created under section 12D.2.
- 25 *i. h. "Participant"* means an individual, individual's legal
 26 representative, trust, estate, or an organization described
 27 in section 501(c)(3) of the Internal Revenue Code and exempt
 28 from taxation under section 501(a) of the Internal Revenue
 29 Code, that has entered into a participation agreement under
 30 this chapter for the advance payment of ~~higher education costs~~
 31 qualified education expenses on behalf of a beneficiary.
- 32 *j. i. "Participation agreement"* means an agreement between
 33 a participant and the trust entered into under this chapter.
- 34 *k. j. "Program fund"* means the program fund established
 35 under section 12D.4.

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- 1 *k. "Qualified education expenses"* means the same as
 2 "qualified higher education expenses" as defined in section
 3 529(e)(3) of the Internal Revenue Code, as amended by Pub. L.
 4 No. 115-97, and shall include elementary and secondary school
 5 expenses for tuition described in section 529(c)(7) of the
 6 Internal Revenue Code, subject to the limitations imposed by
 7 section 529(e)(3)(A) of the Internal Revenue Code.
- 8 *l. "Qualified educational institution"* means an institution
 9 of higher education, or any elementary or secondary public,
 10 private, or religious school described in section 529(c)(7) of
 11 the Internal Revenue Code.
- 12 *l. m. "Tuition and fees" "Tuition"* means the quarter, ~~or~~

13 semester, or annual charges imposed to attend ~~an institution~~
 14 ~~of higher education~~ a qualified educational institution and
 15 required as a condition of enrollment or attendance.

16 Sec. 140. Section 12D.2, subsections 2, 5, 9, and 14, Code
 17 2018, are amended to read as follows:

18 2. Enter into agreements with any ~~institution of higher~~
 19 ~~education~~ qualified educational institution, the state, or any
 20 federal or other state agency, or other entity as required to
 21 implement this chapter.

22 5. Carry out studies and projections so the treasurer of
 23 state may advise participants regarding present and estimated
 24 future ~~higher education costs~~ qualified education expenses
 25 and levels of financial participation in the trust required
 26 in order to enable participants to achieve their educational
 27 funding objectives.

28 9. Make payments to ~~institutions of higher education~~
 29 qualified educational institutions, participants, or
 30 beneficiaries, pursuant to participation agreements on behalf
 31 of beneficiaries.

32 14. Establish, impose, and collect administrative fees
 33 and charges in connection with transactions of the trust, and
 34 provide for reasonable service charges, ~~including penalties for~~
 35 ~~cancellations and late payments with respect to participation~~

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1 ~~agreements.~~

2 Sec. 141. Section 12D.3, subsections 1 and 2, Code 2018, are
 3 amended to read as follows:

4 1.~~a.~~ Each participation agreement may require a
 5 participant to agree to invest a specific amount of money in
 6 the trust for a specific period of time for the benefit of a
 7 specific beneficiary. A participant shall not be required to
 8 make an annual contribution on behalf of a beneficiary. The
 9 maximum contribution that may be deducted for Iowa income tax
 10 purposes shall not exceed two thousand dollars per beneficiary
 11 per year adjusted annually to reflect increases in the consumer
 12 price index. The treasurer of state shall set an account
 13 balance limit to maintain compliance with section 529 of the
 14 Internal Revenue Code. A contribution shall not be permitted
 15 to the extent it causes the aggregate balance of all accounts
 16 established for the same beneficiary under the trust to exceed
 17 the applicable account balance limit.

18 ~~b.~~ ~~Participation agreements may be amended to provide for~~
 19 ~~adjusted levels of payments based upon changed circumstances or~~
 20 ~~changes in educational plans.~~

21 2. The execution of a participation agreement by the trust
 22 shall not guarantee in any way that ~~higher education costs~~
 23 qualified education expenses will be equal to projections
 24 and estimates provided by the trust or that the beneficiary
 25 named in any participation agreement will attain any of the
 26 following:

- 27 *a.* Be admitted to ~~an institution of higher education a~~
 28 qualified educational institution.
 29 *b.* If admitted, be determined a resident for tuition
 30 purposes by the ~~institution of higher education qualified~~
 31 educational institution.
 32 *c.* Be allowed to continue attendance at the ~~institution of~~
 33 higher education qualified educational institution following
 34 admission.
 35 *d.* Graduate from the ~~institution of higher education~~

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- 1 qualified educational institution.
 2 Sec. 142. Section 12D.3, Code 2018, is amended by adding the
 3 following new subsection:
 4 NEW SUBSECTION. 5. A participant may designate a successor
 5 in accordance with rules adopted by the treasurer of state.
 6 The designated successor shall succeed to the ownership of the
 7 account in the event of the death of the participant. In the
 8 event a participant dies and has not designated a successor to
 9 the account, the following criteria shall apply:
 10 *a.* The beneficiary of the account, if eighteen years of
 11 age or older, shall become the owner of the account as well as
 12 remain the beneficiary upon filing the appropriate forms in
 13 accordance with rules adopted by the treasurer of state.
 14 *b.* If the beneficiary of the account is under the age of
 15 eighteen, account ownership shall be transferred to the first
 16 surviving parent or other legal guardian of the beneficiary to
 17 file the appropriate forms in accordance with rules adopted by
 18 the treasurer of state.
 19 Sec. 143. Section 12D.4, Code 2018, is amended to read as
 20 follows:
 21 **12D.4 Program and administrative funds — investment and**
 22 **payments.**
 23 *1.a.* The treasurer of state shall segregate moneys
 24 received by the trust into two funds: the program fund and the
 25 administrative fund.
 26 *b.* All moneys paid by participants in connection with
 27 participation agreements shall be deposited as received into
 28 separate accounts within the program fund.
 29 *c.* Contributions to the trust made by participants may only
 30 be made in the form of cash.
 31 *d.* A participant or beneficiary ~~shall not provide investment~~
 32 ~~direction regarding program contributions or earnings held by~~
 33 ~~the trust may, directly or indirectly, direct the investment of~~
 34 any contributions to the trust or any earnings thereon no more
 35 than two times in a calendar year.

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- 1 *e.* The amount of cash distributions from the trust and all
 2 other qualified state tuition programs under section 529 of

3 the Internal Revenue Code to a beneficiary during any taxable
 4 year shall, in the aggregate, include no more than ten thousand
 5 dollars in expenses for tuition in connection with enrollment
 6 at an elementary or secondary public, private, or religious
 7 school incurred during the taxable year.

8 2. Moneys accrued by participants in the program fund of
 9 the trust may be used for payments to any ~~institution of higher~~
 10 education qualified educational institution. Payments can be
 11 made to the qualified educational institution, the participant,
 12 or the beneficiary.

13 Sec. 144. Section 12D.6, subsection 1, paragraph a, Code
 14 2018, is amended to read as follows:

15 a. A participant retains ownership of all payments made
 16 under a participation agreement up to the date of utilization
 17 for payment of ~~higher education costs~~ qualified education
 18 expenses for the beneficiary.

19 Sec. 145. Section 12D.6, subsections 2, 3, and 5, Code 2018,
 20 are amended to read as follows:

21 2. In the event the program is terminated prior to payment
 22 of ~~higher education costs~~ qualified education expenses for the
 23 beneficiary, the participant is entitled to a refund of the
 24 participant's account balance.

25 3. The ~~institution of higher education~~ qualified
 26 educational institution shall obtain ownership of the payments
 27 made for the ~~higher education costs~~ qualified education
 28 expenses paid to the institution at the time each payment is
 29 made to the institution.

30 5. A participant may transfer ownership rights to another
 31 eligible individual, including a gift of the ownership rights
 32 to a minor beneficiary participant, or may transfer funds to
 33 another plan under the trust or to an ABLE account as permitted
 34 under section 529(c)(3)(C) of the Internal Revenue Code.

35 The transfer shall be made and the property distributed in

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1 accordance with rules adopted by the treasurer of state or with
 2 the terms of the participation agreement.

3 Sec. 146. Section 12D.7, Code 2018, is amended to read as
 4 follows:

5 **12D.7 Effect of payments on determination of need and**
 6 **eligibility for student financial aid.**

7 A student loan program, student grant program, or other
 8 program administered by any agency of the state, except as
 9 may be otherwise provided by federal law or the provisions
 10 of any specific grant applicable to that law, shall not take
 11 into account and shall not consider amounts available for
 12 the payment of ~~higher education costs~~ qualified education
 13 expenses pursuant to the Iowa educational savings plan trust in
 14 determining need and eligibility for student aid.

15 Sec. 147. Section 12D.9, subsection 1, paragraph a, Code
 16 2018, is amended to read as follows:

17 a. Pursuant to section 12D.3, subsection 1, paragraph “a”,
18 a participant may make contributions to an account which is
19 established for the purpose of meeting the qualified higher
20 education expenses of the designated beneficiary of the
21 account.

22 Sec. 148. Section 422.7, subsection 32, paragraph c, Code
23 2018, is amended by striking the paragraph and inserting in
24 lieu thereof the following:

25 c.(1) Add, to the extent previously deducted as a
26 contribution to the trust, the amount resulting from a
27 withdrawal or transfer made by the taxpayer from the Iowa
28 educational savings plan trust for purposes other than any of
29 the following:

30 (a) The payment of qualified higher education expenses.

31 (b) The payment of tuition to an elementary or secondary
32 school if the tuition amounts are qualified education expenses.

33 (c) A change in beneficiaries under, or transfer to another
34 account within, the Iowa educational savings plan trust, or a
35 transfer to the Iowa ABLE savings plan trust, provided such

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1 change or transfer is permitted under section 12D.6, subsection
2 5.

3 (2) For purposes of this paragraph:

4 (a) “*Elementary or secondary school*” means an elementary
5 or secondary school in this state which is accredited under
6 section 256.11, and adheres to the provisions of the federal
7 Civil Rights Act of 1964 and chapter 216.

8 (b) “*Qualified education expenses*” and “*tuition*” all mean the
9 same as defined in section 12D.1, subsection 2.

10 (c)(i) “*Qualified higher education expenses*” means the same
11 as defined in section 529(e)(3) of the Internal Revenue Code.

12 (ii) For purposes of this subparagraph division (c),
13 “*Internal Revenue Code*” means the Internal Revenue Code of
14 1954, prior to the date of its redesignation as the Internal
15 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
16 the Internal Revenue Code of 1986 as amended and in effect on
17 January 1, 2018. This definition shall not be construed to
18 include any amendment to the Internal Revenue Code enacted
19 after the date specified in the preceding sentence, including
20 any amendment with retroactive applicability or effectiveness.

21 Sec. 149. Section 422.7, subsection 34, Code 2018, is
22 amended to read as follows:

23 34.a.(1) Subtract the amount contributed during the tax
24 year on behalf of a designated beneficiary that is a resident
25 of this state to the Iowa ABLE savings plan trust or to the
26 qualified ABLE program with which the state has contracted
27 pursuant to section 12I.10, not to exceed the maximum
28 contribution level established in section 12I.3, subsection 1,
29 paragraph “d”, or section 12I.10, subsection 2, paragraph “a”,
30 as applicable.

31 (2) This paragraph “a” shall not apply to any amount
 32 of contribution that represents a transfer from the Iowa
 33 educational savings plan trust created in chapter 12D that
 34 meets the requirements of subsection 32, paragraph “c”.
 35 subparagraph (1), subparagraph division (c), and that was

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1 previously deducted as a contribution to the Iowa educational
 2 savings plan trust.
 3 *b.* Add the amount resulting from the cancellation of a
 4 participation agreement refunded to the taxpayer as an account
 5 owner in the Iowa ABLÉ savings plan trust or the qualified
 6 ABLÉ program with which the state has contracted pursuant to
 7 section 12I.10 to the extent previously deducted pursuant
 8 to this subsection by the taxpayer or any other person as a
 9 contribution to the trust or qualified ABLÉ program, or to the
 10 extent the amount was previously deducted by the taxpayer or
 11 any other person pursuant to subsection 32, paragraph “a”, and
 12 qualified as a transfer under paragraph “a”, subparagraph (2),
 13 of this subsection.

14 *c.* Add the amount resulting from a withdrawal made by a
 15 taxpayer from the Iowa ABLÉ savings plan trust or the qualified
 16 ABLÉ program with which the state has contracted pursuant to
 17 section 12I.10 for purposes other than the payment of qualified
 18 disability expenses to the extent previously deducted pursuant
 19 to this subsection by the taxpayer or any other person as a
 20 contribution to the trust or qualified ABLÉ program, or to the
 21 extent the amount was previously deducted by the taxpayer or
 22 any other person pursuant to subsection 32, paragraph “a”, and
 23 qualified as a transfer under paragraph “a”, subparagraph (2),
 24 of this subsection.

25 Sec. 150. Section 627.6, Code 2018, is amended by adding the
 26 following new subsection:

27 NEW SUBSECTION. 17. The debtor’s interest, whether as
 28 participant or beneficiary, in contributions and assets,
 29 including the accumulated earnings and market increases in
 30 value, held in an account in the Iowa educational savings plan
 31 trust organized under chapter 12D.

32 Sec. 151.EFFECTIVE DATE. This division of this Act, being
 33 deemed of immediate importance, takes effect upon enactment.

34 Sec. 152.RETROACTIVE APPLICABILITY.

35 1. Except as provided in subsection 2, this division of this

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1 Act applies retroactively to January 1, 2018, for withdrawals
 2 from the Iowa educational savings plan trust made on or after
 3 that date.

4 2. The sections of this division of this Act amending
 5 section 422.7 apply retroactively to January 1, 2018, for tax
 6 years beginning on or after that date, and for withdrawals from

7 the Iowa educational savings plan trust made on or after that
8 date.

9 DIVISION XI

10 SALES AND USE TAXES

11 Sec. 153. Section 15J.4, subsection 3, paragraph f, Code
12 2018, is amended to read as follows:

13 *f.* The total aggregate amount of state sales tax revenues
14 and state hotel and motel tax revenues that may be approved by
15 the board for remittance to all municipalities and that may
16 be transferred to the state reinvestment district fund under
17 section ~~423.2, subsection 11, 423.2A~~ or section 423A.6, and
18 remitted to all municipalities having a reinvestment district
19 under this chapter shall not exceed one hundred million
20 dollars.

21 Sec. 154. Section 15J.5, subsection 1, paragraph a, Code
22 2018, is amended to read as follows:

23 *a.* The department shall calculate quarterly the amount of
24 new state sales tax revenues for each district established in
25 the state to be deposited in the state reinvestment district
26 fund created in section 15J.6, pursuant to section ~~423.2,~~
27 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, subject to
28 remittance limitations established by the board pursuant to
29 section 15J.4, subsection 3.

30 Sec. 155. Section 15J.6, subsection 1, Code 2018, is amended
31 to read as follows:

32 1. A state reinvestment district fund is established in the
33 state treasury under the control of the department consisting
34 of the new state sales tax revenues collected within each
35 district and deposited in the fund pursuant to section ~~423.2,~~

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1 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, and the
2 new state hotel and motel tax revenues collected within each
3 district and deposited in the fund pursuant to section 423A.6.
4 Moneys deposited in the fund are appropriated to the department
5 for the purposes of this section. Moneys in the fund shall
6 only be used for the purposes of this section.

7 Sec. 156. Section 418.11, subsection 1, Code 2018, is
8 amended to read as follows:

9 1. The department of revenue shall calculate quarterly the
10 amount of increased sales tax revenues for each governmental
11 entity approved to use sales tax increment revenues and the
12 amount of such revenues to be transferred to the sales tax
13 increment fund pursuant to section ~~423.2, subsection 11,~~
14 ~~paragraph "b"~~ 423.2A, subsection 2.

15 Sec. 157. Section 418.12, subsection 1, Code 2018, is
16 amended to read as follows:

17 1. A sales tax increment fund is established as a separate
18 and distinct fund in the state treasury under the control of
19 the department of revenue consisting of the amount of the
20 increased state sales and services tax revenues collected by

21 the department of revenue within each applicable area specified
 22 in section 418.11, subsection 3, and deposited in the fund
 23 pursuant to section ~~423.2, subsection 11, paragraph "b"~~ 423.2A,
 24 subsection 2. Moneys deposited in the fund are appropriated
 25 to the department of revenue for the purposes of this section.
 26 Moneys in the fund shall only be used for the purposes of this
 27 section.

28 Sec. 158. Section 421.26, Code 2018, is amended to read as
 29 follows:

30 **421.26 Personal liability for tax due.**

31 If a licensee or other person under section 452A.65, a
 32 retailer or purchaser under chapter 423A, 423B, 423C, 423D, or
 33 423E, or section 423.14, 423.14A, 423.29, 423.31, 423.32, or
 34 423.33, ~~or a retailer or purchaser under section 423.32, or
 35 a user under section 423.34, or a permit holder or licensee~~

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1 under section 453A.13, 453A.16, or 453A.44 fails to pay a tax
 2 under those sections when due, an officer of a corporation
 3 or association, notwithstanding section 489.304, a member or
 4 manager of a limited liability company, or a partner of a
 5 partnership, having control or supervision of or the authority
 6 for remitting the tax payments and having a substantial legal
 7 or equitable interest in the ownership of the corporation,
 8 association, limited liability company, or partnership, who has
 9 intentionally failed to pay the tax is personally liable for
 10 the payment of the tax, interest, and penalty due and unpaid.
 11 However, this section shall not apply to taxes on accounts
 12 receivable. The dissolution of a corporation, association,
 13 limited liability company, or partnership shall not discharge a
 14 person's liability for failure to remit the tax due.

15 Sec. 159. Section 423.1, Code 2018, is amended by adding the
 16 following new subsection:

17 **NEW SUBSECTION. 22A. "Information services"** means
 18 delivering or providing access to databases or subscriptions
 19 to information through any tangible or electronic medium.
 20 "Information services" includes but is not limited to database
 21 files, research databases, genealogical information, and other
 22 similar information.

23 Sec. 160. Section 423.1, subsection 24, paragraph a, Code
 24 2018, is amended to read as follows:

25 a. "*Lease or rental*" means any transfer of possession
 26 or control of, or access to, tangible personal property or
 27 specified digital products for a fixed or indeterminate term
 28 for consideration. A "*lease or rental*" may include future
 29 options to purchase or extend.

30 Sec. 161. Section 423.1, subsection 37, Code 2018, is
 31 amended to read as follows:

32 37. "*Place of business*" means any warehouse, store,
 33 place, office, building, or structure where ~~goods, wares, or~~
 34 merchandise tangible personal property, specified digital

35 products, or services are offered for sale at retail or where

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1 any taxable amusement is conducted, or each office where gas,
2 water, heat, communication, or electric services are offered
3 for sale at retail. When a retailer or amusement operator
4 sells merchandise by means of vending machines or operates
5 music or amusement devices by coin-operated machines at more
6 than one location within the state, the office, building, or
7 place where the books, papers, and records of the taxpayer are
8 kept shall be deemed to be the taxpayer's place of business.

9 Sec. 162. Section 423.1, Code 2018, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 36A. "*Personal property*" includes but is
12 not limited to tangible personal property and specified digital
13 products.

14 Sec. 163. Section 423.1, subsection 43, paragraph a,
15 subparagraph (3), Code 2018, is amended to read as follows:

16 (3) Taking possession or making first use of ~~digital goods~~
17 specified digital products, whichever comes first.

18 Sec. 164. Section 423.1, subsection 47, Code 2018, is
19 amended to read as follows:

20 47. "*Retailer*" means and includes every person engaged
21 in the business of selling tangible personal property,
22 specified digital products, or taxable services at retail, or
23 the furnishing of gas, electricity, water, or communication
24 service, and tickets or admissions to places of amusement
25 and athletic events or operating amusement devices or other
26 forms of commercial amusement from which revenues are derived.
27 However, when in the opinion of the director it is necessary
28 for the efficient administration of this chapter to regard any
29 agent or affiliate of a retailer as a retailer for purposes
30 of this chapter, the director may so regard them, or when
31 it is necessary for the efficient administration of this
32 chapter to regard any salespersons, representatives, truckers,
33 peddlers, ~~or canvassers, or other persons~~ as agents of the
34 dealers, distributors, supervisors, employers, or persons under
35 whom they operate or from whom they obtain tangible personal

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1 property, services, or specified digital products sold by
2 them irrespective of whether or not they are making sales on
3 their own behalf or on behalf of such dealers, distributors,
4 supervisors, employers, or persons, the director may so regard
5 them, and may regard such dealers, distributors, supervisors,
6 employers, or persons as retailers for the purposes of this
7 chapter. "*Retailer*" includes a seller obligated to collect
8 sales or use tax, including any person obligated to collect
9 sales and use tax pursuant to section 423.14A.

10 Sec. 165. Section 423.1, subsection 48, paragraph a, Code

11 2018, is amended to read as follows:

12 *a. "Retailer maintaining a place of business in this state"*
 13 or any like term includes any of the following:

14 (1) A retailer having or maintaining within this state,
 15 directly or by a subsidiary, an office, distribution house,
 16 sales house, warehouse, or other place of business, or any
 17 representative operating within this state under the authority
 18 of the retailer or its subsidiary, irrespective of whether that
 19 place of business or representative is located here permanently
 20 or temporarily, or whether the retailer or subsidiary is
 21 admitted to do business within this state pursuant to chapter
 22 490.

23 (2) A person obligated to collect sales and use tax pursuant
 24 to section 423.14A.

25 Sec. 166. Section 423.1, subsection 48, paragraph b,
 26 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
 27 to read as follows:

28 A retailer shall be presumed to be maintaining a place of
 29 business in this state, ~~as defined in~~ for purposes of paragraph
 30 "*a*", subparagraph (1), if any person that has substantial nexus
 31 in this state, other than a person acting in its capacity as a
 32 common carrier, does any of the following:

33 Sec. 167. Section 423.1, subsection 48, paragraph b,
 34 subparagraph (1), subparagraph division (b), Code 2018, is
 35 amended to read as follows:

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1 (b) Maintains an office, distribution facility, warehouse,
 2 storage place, or similar place of business in this state to
 3 facilitate the delivery of personal property or services sold
 4 by the retailer to the retailer's customers.

5 Sec. 168. Section 423.1, subsection 50, Code 2018, is
 6 amended to read as follows:

7 50. "*Sales*" or "*sale*" means any transfer, exchange, or
 8 barter, conditional or otherwise, in any manner or by any means
 9 whatsoever, for consideration, including but not limited to any
 10 such transfer, exchange, or barter on a subscription basis.

11 Sec. 169. Section 423.1, Code 2018, is amended by adding the
 12 following new subsection:

13 NEW SUBSECTION. 55A. "Sold at retail in the state" and
 14 other references to sales "in the state" or "in this state"
 15 includes but is not limited to sales sourced to this state
 16 under this chapter.

17 Sec. 170. Section 423.1, Code 2018, is amended by adding the
 18 following new subsection:

19 NEW SUBSECTION. 55B.a. "Specified digital products" means
 20 electronically transferred digital audio-visual works, digital
 21 audio works, digital books, or other digital products.

22 *b.* For purposes of this subsection:

23 (1) "*Digital audio-visual works*" means a series of related
 24 images which, when shown in succession, impart an impression of

25 motion, together with accompanying sounds, if any.
26 (2) *“Digital audio works”* means works that result from
27 the fixation of a series of musical, spoken, or other sounds,
28 including but not limited to ringtones. For purposes of this
29 subparagraph, *“ringtones”* means digitized sound files that are
30 downloaded onto a device and that may be used to alert the
31 customer with respect to a communication.
32 (3) *“Digital books”* means works that are generally
33 recognized in the ordinary and usual sense as books.
34 (4) *“Electronically transferred”* means obtained or accessed
35 by the purchaser by means other than tangible storage media,

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1 including but not limited to a specified digital product
2 purchased through a computer software application, commonly
3 referred to as an in-app purchase, or through another specified
4 digital product, or through any other means.
5 (5) *“Other digital products”* means greeting cards, images,
6 video or electronic games or entertainment, news or information
7 products, and computer software applications.
8 Sec. 171. Section 423.1, Code 2018, is amended by adding the
9 following new subsection:
10 NEW SUBSECTION. 57A. “Subscription” means any arrangement
11 in which a person has the right or ability to access,
12 receive, use, obtain, purchase, or otherwise acquire tangible
13 personal property, specified digital products, or services
14 on a permanent or less than permanent basis, regardless of
15 whether the person actually accesses, receives, uses, obtains,
16 purchases, or otherwise acquires such tangible personal
17 property, specified digital product, or service.
18 Sec. 172. Section 423.1, subsections 62, 63, and 64, Code
19 2018, are amended to read as follows:
20 62. *“Use”* means and includes the exercise by any person of
21 any right or power over or access to tangible personal property
22 or a specified digital product incident to the ownership of
23 that property, or any right or power over or access to the
24 product or result of a service. A retailer’s or building
25 contractor’s sale of manufactured housing for use in this
26 state, whether in the form of tangible personal property or
27 of realty, is a use of that property for the purposes of this
28 chapter.
29 63. *“Use tax”* means the tax levied under subchapter III of
30 this chapter ~~for which the retailer collects and remits tax to~~
31 ~~the department~~.
32 64. *“User”* means the immediate recipient of the personal
33 property or services who is entitled to exercise a right of or
34 power over or access to the personal property, or the product
35 or result of such services.

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- 1 Sec. 173. Section 423.2, subsection 1, paragraph a,
 2 subparagraph (1), Code 2018, is amended to read as follows:
 3 (1) Sales of engraving, ~~photography, retouching,~~ printing,
 4 and binding services.
- 5 Sec. 174. Section 423.2, subsection 6, Code 2018, is amended
 6 to read as follows:
 7 ~~6.a.~~ The sales price of any of the following enumerated
 8 services is subject to the tax imposed by subsection 5:
 9 a. alteration ~~Alteration~~ and garment repair; ~~armored~~
 10 b. Armored car; ~~vehicle~~;
 11 c. Vehicle repair; ~~battery~~;
 12 d. Battery, tire, and allied; ~~investment~~;
 13 e. Investment counseling; ~~service~~;
 14 f. Service charges of all financial institutions; ~~barber~~;
 15 For the purposes of this paragraph, "financial institutions"
 16 means all national banks, federally chartered savings and loan
 17 associations, federally chartered savings banks, federally
 18 chartered credit unions, banks organized under chapter 524,
 19 credit unions organized under chapter 533, and all banks,
 20 savings banks, credit unions, and savings and loan associations
 21 chartered or otherwise created under the laws of any state and
 22 doing business in Iowa.
 23 g. Barber and beauty; ~~boat~~;
 24 h. Boat repair; ~~vehicle~~;
 25 i. Vehicle wash and wax; ~~campgrounds;~~ carpentry; ~~roof~~;
 26 j. Campgrounds.
 27 k. Carpentry.
 28 l. Roof, shingle, and glass repair; ~~dance~~;
 29 m. Dance schools and dance studios; ~~dating~~;
 30 n. Dating services; ~~dry~~;
 31 o. Dry cleaning, pressing, dyeing, and laundering excluding
 32 the use of self-pay washers and dryers; ~~electrical~~;
 33 p. Electrical and electronic repair and installation;
 34 ~~excavating~~;
 35 q. Excavating and grading; ~~farm~~;

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- 1 r. Farm implement repair of all kinds; ~~flying~~;
 2 s. Flying service; ~~furniture~~;
 3 t. Furniture, rug, carpet, and upholstery repair and
 4 cleaning; ~~fur~~;
 5 u. Fur storage and repair; ~~golf~~;
 6 v. Golf and country clubs and all commercial recreation;
 7 ~~gun~~;
 8 w. Gun and camera repair; ~~house~~;
 9 x. House and building moving; ~~household~~;
 10 y. Household appliance, television, and radio repair;
 11 ~~janitorial~~;
 12 z. Janitorial and building maintenance or cleaning; ~~jewelry~~;

13 aa. Jewelry and watch repair; lawn.
 14 ab. Lawn care, landscaping, and tree trimming and removal;
 15 ac. Personal transportation service, including but not
 16 limited to taxis, driver service, ride sharing service, rides
 17 for hire, and limousine service, including driver; machine.
 18 ad. Machine operator; machine.
 19 ae. Machine repair of all kinds; motor.
 20 af. Motor repair; motorcycle.
 21 ag. Motorcycle, scooter, and bicycle repair; oilers.
 22 ah. Oilers and lubricators; office.
 23 ai. Office and business machine repair; painting.
 24 aj. Painting, papering, and interior decorating; parking.
 25 ak. Parking facilities; pay.
 26 al. Pay television; pet, including but not limited to
 27 streaming video, video on-demand, and pay-per-view.
 28 am. Pet grooming; pipe.
 29 an. Pipe fitting and plumbing; wood.
 30 ao. Wood preparation; executive.
 31 ap. Executive search agencies; private.
 32 aq. Private employment agencies, excluding services for
 33 placing a person in employment where the principal place of
 34 employment of that person is to be located outside of the
 35 state; reflexology; security.

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1 ar. Reflexology.
 2 as. Security and detective services, excluding private
 3 security and detective services furnished by a peace officer
 4 with the knowledge and consent of the chief executive officer
 5 of the peace officer's law enforcement agency; sewage.
 6 at. Sewage services for nonresidential commercial
 7 operations; sewing.
 8 au. Sewing and stitching; shoe.
 9 av. Shoe repair and shoeshine; sign.
 10 aw. Sign construction and installation; storage.
 11 ax. Storage of household goods, mini-storage, and
 12 warehousing of raw agricultural products; swimming.
 13 ay. Swimming pool cleaning and maintenance; tanning.
 14 az. Tanning beds or salons; taxidermy.
 15 ba. Taxidermy services; telephone.
 16 bb. Telephone answering service; test.
 17 bc. Test laboratories, including mobile testing laboratories
 18 and field testing by testing laboratories, and excluding tests
 19 on humans or animals and excluding environmental testing
 20 services; termite.
 21 bd. Termite, bug, roach, and pest eradicators; tin.
 22 be. Tin and sheet metal repair; transportation.
 23 bf. Transportation service consisting of the rental of
 24 recreational vehicles or recreational boats, or the rental of
 25 vehicles subject to registration which are registered for a
 26 gross weight of thirteen tons or less for a period of sixty

27 days or less, or the rental of aircraft for a period of sixty
 28 days or less;
 29 bg. Turkish baths, massage, and reducing salons, excluding
 30 services provided by massage therapists licensed under chapter
 31 152C; water;
 32 bh. Water conditioning and softening; weighing; welding;
 33 well;
 34 bi. Weighing.
 35 bj. Welding.

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1 bk. Well drilling; wrapping.
 2 bl. Wrapping, packing, and packaging of merchandise other
 3 than processed meat, fish, fowl, and vegetables; wrecking.
 4 bm. Wrecking service; wrecker.
 5 bn. Wrecker and towing.
 6 b. For the purposes of this subsection, “financial
 7 institutions” means all national banks, federally chartered
 8 savings and loan associations, federally chartered savings
 9 banks, federally chartered credit unions, banks organized under
 10 chapter 524, credit unions organized under chapter 533, and
 11 all banks, savings banks, credit unions, and savings and loan
 12 associations chartered or otherwise created under the laws of
 13 any state and doing business in Iowa.
 14 bo. Photography.
 15 bp. Retouching.
 16 bq. Storage of tangible or electronic files, documents, or
 17 other records.
 18 br. Information services.
 19 bs. Services arising from or related to installing,
 20 maintaining, servicing, repairing, operating, upgrading, or
 21 enhancing specified digital products.
 22 bt. Video game services and tournaments.
 23 bu. Software as a service.
 24 Sec. 175. Section 423.2, subsection 8, Code 2018, is amended
 25 by adding the following new paragraph:
 26 NEW PARAGRAPH. d. A transaction that otherwise meets
 27 the definition of “bundled transaction” as defined in this
 28 subsection is not a bundled transaction if it is any of the
 29 following:
 30 (1) The retail sale of tangible personal property and a
 31 service where the tangible personal property is essential
 32 to the use of the service, and is provided exclusively in
 33 connection with the service, and the true object of the
 34 transaction is the service.
 35 (2) The retail sale of services where one service is

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1 provided that is essential to the use or receipt of a second
 2 service and the first service is provided exclusively in

3 connection with the second service and the true object of the
4 transaction is the second service.

5 (3)(a) A transaction that includes taxable products and
6 nontaxable products and the purchase price or sales price of
7 the taxable products is *de minimis*.

8 (b) For purposes of this subparagraph, "*de minimis*" means
9 the seller's purchase or sales price of the taxable products
10 is ten percent or less of the total purchase price or sales
11 price of the bundled products. Sellers shall use either the
12 purchase price or the sale price of the products to determine
13 if the taxable products are *de minimis*. Sellers may not use
14 a combination of the purchase price and sales price of the
15 products to determine if the taxable products are *de minimis*.

16 (4) The retail sale of exempt tangible personal property and
17 taxable tangible personal property where all of the following
18 apply:

19 (a) The transaction includes food and food ingredients,
20 drugs, durable medical equipment, mobility enhancing equipment,
21 prosthetic devices, or medical supplies.

22 (b) The seller's purchase price or sales price of the
23 taxable tangible personal property is fifty percent or less
24 of the total purchase price or sales price of the bundled
25 tangible personal property. Sellers may not use a combination
26 of the purchase price and sales price of the tangible personal
27 property when making the fifty percent determination for a
28 transaction.

29 Sec. 176. Section 423.2, Code 2018, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 9A.a. A tax of six percent is imposed on
32 the sales price of specified digital products sold at retail
33 in the state. The tax applies whether the purchaser obtains
34 permanent use or less than permanent use of the specified
35 digital product, whether the sale is conditioned or not

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1 conditioned upon continued payment from the purchaser, and
2 whether the sale is on a subscription basis or is not on a
3 subscription basis.

4 b. The sale of a digital code that may be used to obtain
5 or access a specified digital product shall be taxed in the
6 same manner as the specified digital product. For purposes
7 of this paragraph, "*digital code*" means a method that permits
8 a purchaser to obtain or access at a later date a specified
9 digital product.

10 Sec. 177. Section 423.2, subsections 10, 11, and 12, Code
11 2018, are amended by striking the subsections.

12 Sec. 178. NEW SECTION. 423.2A Deposit and transfer of
13 revenues.

14 1.a. All revenues arising under the operation of the
15 provisions of this subchapter II shall be deposited into the
16 general fund of the state.

17 *b.* Subsequent to the deposit into the general fund of
 18 the state, the director shall credit an amount equal to the
 19 product of the sales tax rate imposed in section 423.2 times
 20 the sales price of the tangible personal property or services
 21 furnished to purchasers at a baseball and softball complex that
 22 has received an award under section 15F.207 and that meets
 23 the qualifications of section 423.4, subsection 10, into the
 24 baseball and softball complex sales tax rebate fund created
 25 under section 423.4, subsection 10, paragraph “e”. The director
 26 shall credit the moneys beginning the first day of the quarter
 27 following July 1, 2016. This paragraph is repealed thirty
 28 days following the date on which five million dollars in total
 29 rebates have been provided under section 423.4, subsection 10.
 30 2. Subsequent to the deposit into the general fund of the
 31 state pursuant to subsection 1, the department shall do the
 32 following in the order prescribed:
 33 *a.* Transfer the revenues collected under chapter 423B.
 34 *b.* Transfer from the remaining revenues the amounts required
 35 under Article VII, section 10, of the Constitution of the State

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1 of Iowa to the natural resources and outdoor recreation trust
 2 fund created in section 461.31, if applicable.
 3 *c.* Transfer one-sixth of the remaining revenues to the
 4 secure an advanced vision for education fund created in section
 5 423F.2. This paragraph “c” is repealed December 31, 2029.
 6 *d.* Transfer to the baseball and softball complex sales tax
 7 rebate fund that portion of the sales tax receipts described
 8 in subsection 1, paragraph “b”, remaining after the transfers
 9 required under paragraphs “a”, “b”, and “c” of this subsection
 10 2. This paragraph is repealed thirty days following the date
 11 on which five million dollars in total rebates have been
 12 provided under section 423.4, subsection 10.
 13 *e.* Beginning the first day of the calendar quarter
 14 beginning on the reinvestment district’s commencement date,
 15 subject to remittance limitations established by the economic
 16 development authority board pursuant to section 15J.4,
 17 subsection 3, transfer to a district account created in the
 18 state reinvestment district fund for each reinvestment district
 19 established under chapter 15J, the amount of new state sales
 20 tax revenue, determined in section 15J.5, subsection 1,
 21 paragraph “b”, in the district, that remains after the prior
 22 transfers required under this subsection 2. Such transfers
 23 shall cease pursuant to section 15J.8.
 24 *f.* Subject to the limitation on the calculation and
 25 deposit of sales tax increment revenues in section 418.12,
 26 beginning the first day of the quarter following adoption
 27 of the resolution pursuant to section 418.4, subsection 3,
 28 paragraph “d”, transfer to the account created in the sales tax
 29 increment fund for each governmental entity approved to use
 30 sales tax increment revenues under chapter 418, that portion

31 of the increase in sales tax revenue, determined in section
32 418.11, subsection 2, paragraph “d”, in the applicable area of
33 the governmental entity, that remains after the other transfers
34 required under this subsection 2.
35 g. Beginning the first day of the quarter following July 1,

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1 2014, transfer to the raceway facility tax rebate fund created
2 in section 423.4, subsection 11, paragraph “e”, that portion
3 of the sales tax receipts collected and remitted upon sales of
4 tangible personal property or services furnished by retailers
5 at a raceway facility meeting the qualifications of section
6 423.4, subsection 11, that remains after the transfers required
7 in paragraphs “a” through “f” of this subsection 2. This
8 paragraph is repealed June 30, 2025, or thirty days following
9 the date on which an amount of total rebates specified in
10 section 423.4, subsection 11, paragraph “c”, subparagraph (4),
11 subparagraph division (a) or (b), whichever is applicable,
12 has been provided or thirty days following the date on which
13 rebates cease as provided in section 423.4, subsection 11,
14 paragraph “c”, subparagraph (5), whichever is earliest.

15 3. Of the amount of sales tax revenue actually transferred
16 per quarter pursuant to subsection 2, paragraphs “e” and “f”,
17 the department shall retain an amount equal to the actual cost
18 of administering the transfers under subsection 2, paragraphs
19 “e” and “f”, or twenty-five thousand dollars, whichever is
20 less. The amount retained by the department pursuant to this
21 subsection shall be divided pro rata each quarter between
22 the amounts that would have been transferred pursuant to
23 subsection 2, paragraphs “e” and “f”, without the deduction
24 made by operation of this subsection. Revenues retained by
25 the department pursuant to this subsection shall be considered
26 repayment receipts as defined in section 8.2.

27 Sec. 179. Section 423.3, subsections 1 and 17, Code 2018,
28 are amended to read as follows:

29 1. The sales price from sales of tangible personal property,
30 specified digital products, and services furnished which this
31 state is prohibited from taxing under the Constitution or laws
32 of the United States or under the Constitution of this state.

33 17. The sales price of all ~~goods, wares, or merchandise,~~
34 tangible personal property, specified digital products, or
35 services, used for educational purposes sold to any private

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1 nonprofit educational institution in this state. For the
2 purpose of this subsection, “*educational institution*” means an
3 institution which primarily functions as a school, college,
4 or university with students, faculty, and an established
5 curriculum. The faculty of an educational institution must be
6 associated with the institution and the curriculum must include

7 basic courses which are offered every year. “*Educational*
 8 *institution*” includes an institution primarily functioning as a
 9 a library.

10 Sec. 180. Section 423.3, subsection 18, unnumbered
 11 paragraph 1, Code 2018, is amended to read as follows:
 12 The sales price of tangible personal property or specified
 13 digital products sold, or of services furnished, to the
 14 following nonprofit corporations:

15 Sec. 181. Section 423.3, subsections 20, 21, 22, 23, 26, 27,
 16 28, and 31, Code 2018, are amended to read as follows:

17 20. The sales price of tangible personal property or
 18 specified digital products sold, or of services furnished, to
 19 nonprofit legal aid organizations.

20 21. The sales price of ~~goods, wares, or merchandise,~~
 21 tangible personal property, of specified digital products,
 22 or of services, used for educational, scientific, historic
 23 preservation, or aesthetic purpose sold to a nonprofit private
 24 museum.

25 22. The sales price from sales of ~~goods, wares, or~~
 26 ~~merchandise,~~ tangible personal property, of specified digital
 27 products, or from services furnished, to a nonprofit private
 28 art center to be used in the operation of the art center.

29 23. The sales price of tangible personal property or
 30 specified digital products sold, or of services furnished, by a
 31 fair organized under chapter 174.

32 26. The sales price of tangible personal property or
 33 specified digital products sold, or of services furnished, to a
 34 statewide nonprofit organ procurement organization, as defined
 35 in section 142C.2.

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1 27. The sales price of tangible personal property or
 2 specified digital products sold, or of services furnished, to a
 3 nonprofit hospital licensed pursuant to chapter 135B to be used
 4 in the operation of the hospital.

5 28. The sales price of tangible personal property or
 6 specified digital products sold, or of services furnished, to
 7 a freestanding nonprofit hospice facility which operates a
 8 hospice program as defined in 42 C.F.R. ch. IV, §418.3, which
 9 property or services are to be used in the hospice program.

10 31.~~6.~~ The sales price of ~~goods, wares, or merchandise~~
 11 tangible personal property or specified digital products sold
 12 to and of services furnished, and used for public purposes
 13 sold to a tax-certifying or tax-levying body of the state or
 14 a governmental subdivision of the state, including regional
 15 transit systems, as defined in section 324A.1, the state board
 16 of regents, department of human services, state department of
 17 transportation, any municipally owned solid waste facility
 18 which sells all or part of its processed waste as fuel to a
 19 municipally owned public utility, and all divisions, boards,
 20 commissions, agencies, or instrumentalities of state, federal,

21 county, or municipal government which have no earnings going to
22 the benefit of an equity investor or stockholder, except any
23 of the following:

24 ~~(1)~~a. The sales price of ~~goods, wares, or merchandise~~
25 tangible personal property or specified digital products sold
26 to, or of services furnished, and used by or in connection with
27 the operation of any municipally owned public utility engaged
28 in selling gas, electricity, heat, pay television service, or
29 communication service to the general public.

30 ~~(2)~~ b. The sales price of furnishing of sewage services to
31 a county or municipality on behalf of nonresidential commercial
32 operations.

33 ~~(3)~~ c. The furnishing of solid waste collection and
34 disposal service to a county or municipality on behalf of
35 nonresidential commercial operations located within the county

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1 or municipality.

2 ~~b. The exemption provided by this subsection shall also~~
3 ~~apply to all such sales of goods, wares, or merchandise or of~~
4 ~~services furnished and subject to use tax.~~

5 Sec. 182. Section 423.3, subsection 32, unnumbered
6 paragraph 1, Code 2018, is amended to read as follows:

7 The sales price of tangible personal property or specified
8 digital products sold, or of services furnished, by a county or
9 city. This exemption does not apply to any of the following:

10 Sec. 183. Section 423.3, subsection 36, unnumbered
11 paragraph 1, Code 2018, is amended to read as follows:

12 The sales price from sales of tangible personal property
13 or specified digital products or of the sale or furnishing of
14 electrical energy, natural or artificial gas, or communication
15 service to another state or political subdivision of another
16 state if the other state provides a similar reciprocal
17 exemption for this state and political subdivision of this
18 state.

19 Sec. 184. Section 423.3, subsection 39, paragraph a,
20 subparagraphs (1) and (2), Code 2018, are amended to read as
21 follows:

22 (1) Sales of tangible personal property or specified
23 digital products, or the furnishing of services, of a
24 nonrecurring nature, by the owner, if the seller, at the time
25 of the sale, is not engaged for profit in the business of
26 selling tangible personal property, specified digital products,
27 or services taxed under section 423.2.

28 (2) The sale of all or substantially all of the tangible
29 personal property, or specified digital products, or services
30 held or used by a seller in the course of the seller's trade or
31 business for which the seller is required to hold a sales tax
32 permit when the seller sells or otherwise transfers the trade
33 or business to another person who shall engage in a similar
34 trade or business.

35 Sec. 185. Section 423.3, subsection 39, Code 2018, is

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1 amended by adding the following new paragraph:
 2 NEW PARAGRAPH. *c.* The exemption under this subsection does
 3 not apply to sales for which a person is required pursuant to
 4 section 423.14A to collect sales and use tax.

5 Sec. 186. Section 423.3, subsection 47, paragraph d,
 6 subparagraph (1), Code 2018, is amended to read as follows:

7 (1) "*Commercial enterprise*" ~~includes means~~ businesses
 8 and manufacturers conducted for profit ~~and centers for data~~
 9 ~~processing services to, for-profit and nonprofit~~ insurance
 10 companies, ~~and for-profit and nonprofit~~ financial institutions,
 11 ~~businesses, and manufacturers,~~ but excludes other nonprofits
 12 and professions and occupations ~~and nonprofit organizations.~~

13 Sec. 187. Section 423.3, subsection 47, paragraph d,
 14 subparagraph (4), Code 2018, is amended by striking the
 15 subparagraph and inserting in lieu thereof the following:

16 (4)(a) "*Manufacturer*" means a business that primarily
 17 purchases, receives, or holds personal property of any
 18 description for the purpose of adding to its value by a process
 19 of manufacturing with a view to selling the property for gain
 20 or profit.

21 (b) "*Manufacturer*" includes contract manufacturers. A
 22 contract manufacturer is a manufacturer that otherwise falls
 23 within the definition of manufacturer, except that a contract
 24 manufacturer does not sell the tangible personal property
 25 the contract manufacturer processes on behalf of other
 26 manufacturers.

27 (c) "*Manufacturer*" does not include persons who are not
 28 commonly understood as manufacturers, including but not limited
 29 to persons engaged in any of the following activities:

- 30 (i) Construction contracting.
- 31 (ii) Repairing tangible personal property or real property.
- 32 (iii) Providing health care.
- 33 (iv) Farming, including cultivating agricultural products
 34 and raising livestock.
- 35 (v) Transporting for hire.

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1 (d) For purposes of this subparagraph:

2 (i) "*Business*" means those businesses conducted for
 3 profit, but excludes professions and occupations and nonprofit
 4 organizations.

5 (ii) "*Manufacturing*" means those activities commonly
 6 understood within the ordinary meaning of the term, and shall
 7 include:

- 8 (A) Refining.
- 9 (B) Purifying.
- 10 (C) Combining of different materials.

11 (D) Packing of meats.

12 (E) Activities subsequent to the extractive process of
13 quarrying or mining, such as crushing, washing, sizing, or
14 blending of aggregate materials.

15 (iii) “*Manufacturing*” does not include activities occurring
16 on premises primarily used to make retail sales.

17 Sec. 188. Section 423.3, subsection 63, Code 2018, is
18 amended to read as follows:

19 63. The sales price from the sale of tangible personal
20 property, specified digital products, or services which will be
21 given as prizes to players in games of skill, games of chance,
22 raffles, and bingo games as defined in chapter 99B.

23 Sec. 189. Section 423.3, subsections 65, 66, and 67, Code
24 2018, are amended by striking the subsections.

25 Sec. 190. Section 423.3, subsection 78, paragraph a,
26 unnumbered paragraph 1, Code 2018, is amended to read as
27 follows:

28 The sales price from ~~sales or rental~~ the sale of tangible
29 personal property, specified digital products, or services
30 rendered by any entity where the profits from the ~~sales or~~
31 ~~rental sale~~ of the tangible personal property, specified
32 digital products, or services rendered, are used by or donated
33 to a nonprofit entity that is exempt from federal income
34 taxation pursuant to section 501(c)(3) of the Internal Revenue
35 Code, a government entity, or a nonprofit private educational

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1 institution, and where the entire proceeds from the ~~sales,~~
2 ~~rental, sale~~ or services are expended for any of the following
3 purposes:

4 Sec. 191. Section 423.3, subsection 79, Code 2018, is
5 amended to read as follows:

6 79. The sales price from the sale ~~or rental~~ of tangible
7 personal property or specified digital products, or from
8 services furnished, to a recognized community action agency as
9 provided in section 216A.93 to be used for the purposes of the
10 agency.

11 Sec. 192. Section 423.3, Code 2018, is amended by adding the
12 following new subsections:

13 NEW SUBSECTION. 103.a. The sales price of specified
14 digital products and of prewritten computer software sold, and
15 of enumerated services described in section 423.2, subsection
16 6, paragraphs “*bq*”, “*br*”, “*bs*”, and “*bu*” furnished, to a
17 commercial enterprise for use exclusively by the commercial
18 enterprise. The use of prewritten computer software, a
19 specified digital product, or service fails to qualify as a
20 use exclusively by the commercial enterprise if its use for
21 noncommercial purposes is more than de minimis.

22 b. For purposes of this subsection:

23 (1) “*Commercial enterprise*” means the same as defined in
24 section 423.3, subsection 47, paragraph “*d*”, subparagraph (1),

25 but also includes professions and occupations.

26 (2) "*De minimis*" and "*noncommercial purposes*" shall be
27 defined by the director by rule.

28 NEW SUBSECTION. 104. The sales price of specified digital
29 products sold to a non-end user. For purposes of this
30 subsection, "*non-end user*" means a person who receives by
31 contract a specified digital product for further commercial
32 broadcast, rebroadcast, transmission, retransmission,
33 licensing, relicensing, distribution, redistribution, or
34 exhibition of the product, in whole or in part, to another
35 person.

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1 NEW SUBSECTION. 105. The sales price for transportation
2 services furnished by emergency or nonemergency medical
3 transportation, by a paratransit service, and by a public
4 transit system as defined in section 324A.1.

5 Sec. 193. Section 423.4, subsection 3, unnumbered paragraph
6 1, Code 2018, is amended to read as follows:

7 A relief agency may apply to the director for refund of the
8 amount of sales or use tax imposed and paid upon sales to it
9 of any ~~goods, wares, merchandise, tangible personal property~~
10 ~~or specified digital products~~, or services furnished, used for
11 free distribution to the poor and needy.

12 Sec. 194. Section 423.4, subsection 3, paragraph a,
13 subparagraph (1), Code 2018, is amended to read as follows:

14 (1) On forms furnished by the department, and filed within
15 the time as the director shall provide by rule, the relief
16 agency shall report to the department the total amount or
17 amounts, valued in money, expended directly or indirectly
18 for ~~goods, wares, merchandise, tangible personal property or~~
19 ~~specified digital products~~, or services furnished, used for
20 free distribution to the poor and needy.

21 Sec. 195. Section 423.4, subsection 10, paragraph e, Code
22 2018, is amended to read as follows:

23 e. There is established within the state treasury under the
24 control of the department a baseball and softball complex sales
25 tax rebate fund consisting of the amount of state sales tax
26 revenues transferred pursuant to section ~~423.2, subsection 11,~~
27 ~~paragraph "b", subparagraph (4)~~ 423.2A, subsection 2, paragraph
28 "d". An account is created within the fund for each baseball
29 and softball complex receiving an award under section 15F.207
30 and meeting the qualifications of this subsection. Moneys
31 in the fund shall only be used to provide rebates of state
32 sales tax pursuant to this subsection, and only the state sales
33 tax revenues in the baseball and softball complex rebate fund
34 are subject to rebate under this subsection. The amount of
35 rebates paid from each baseball and softball complex's account

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1 within the fund shall not exceed the amount of the award under
2 section 15F.207, and not more than five million dollars in
3 total rebates shall be paid from the fund. Any moneys in the
4 fund which represent state sales tax revenue for which the time
5 period in paragraph "c" for receiving a rebate has expired,
6 or which otherwise represent state sales tax revenue that has
7 become ineligible for rebate pursuant to this subsection, shall
8 immediately revert to the general fund of this state.

9 Sec. 196. Section 423.4, subsection 11, paragraph b,
10 subparagraph (1), Code 2018, is amended to read as follows:

11 (1) Sales tax imposed and collected by retailers upon
12 sales of tangible personal property or services furnished to
13 purchasers at the raceway facility. Notwithstanding the state
14 sales tax imposed in section 423.2, a sales tax rebate issued
15 pursuant to this subparagraph shall not exceed the amounts
16 transferred to the raceway facility tax rebate fund pursuant to
17 section ~~423.2, subsection 11, paragraph "b", subparagraph (7)~~
18 423.2A, subsection 2, paragraph "g".

19 Sec. 197. Section 423.4, subsection 11, paragraph b,
20 subparagraph (2), subparagraph division (c), Code 2018, is
21 amended to read as follows:

22 (c) Notwithstanding the state sales tax imposed in section
23 423.2, a sales tax rebate issued pursuant to this subparagraph
24 shall not exceed the amounts remaining after the transfers
25 required under section ~~423.2, subsection 11, paragraph "b",~~
26 ~~subparagraphs (1) through (6)~~ 423.2A, subsection 2, paragraphs
27 "a" through "f", have been made from the total amount of sales
28 tax for which the rebate is requested.

29 Sec. 198. Section 423.4, subsection 11, paragraph e, Code
30 2018, is amended to read as follows:

31 e. There is established within the state treasury under
32 the control of the department a raceway facility tax rebate
33 fund consisting of the amount of state sales tax revenues
34 transferred pursuant to section ~~423.2, subsection 11, paragraph~~
35 ~~"b", subparagraph (7)~~ 423.2A, subsection 2, paragraph "g". An

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1 account is created within the fund for each raceway facility
2 meeting the qualifications of this subsection. Moneys in the
3 fund shall only be used to provide rebates of state sales tax
4 pursuant to paragraph "b", subparagraph (1). The total amount
5 of rebates paid from the fund shall not exceed the amount
6 specified in paragraph "c", subparagraph (4), subparagraph
7 division (a) or (b), whichever is applicable. Any moneys in
8 the fund which represent state sales tax revenue for which the
9 time period in paragraph "c" for receiving a rebate has expired,
10 or which otherwise represent state sales tax revenue that has
11 become ineligible for rebate pursuant to this subsection shall
12 immediately revert to the general fund of the state.

13 Sec. 199. Section 423.5, subsection 1, paragraph a, Code
14 2018, is amended to read as follows:

15 *a.* The use in this state of tangible personal property
16 as defined in section 423.1, including aircraft subject to
17 registration under section 328.20, purchased for use in this
18 state. For the purposes of this subchapter, the furnishing
19 or use of the following services is also treated as the use
20 of tangible personal property: optional service or warranty
21 contracts, except residential service contracts regulated under
22 chapter 523C, vulcanizing, recapping, or retreading services,
23 engraving, ~~photography, retouching,~~ printing, or binding
24 services, and communication service when furnished or delivered
25 to consumers or users within this state.

26 Sec. 200. Section 423.5, subsection 1, paragraph d, Code
27 2018, is amended to read as follows:

28 *d.* Purchases of tangible personal property or specified
29 digital products made from the government of the United States
30 or any of its agencies by ultimate consumers shall be subject
31 to the tax imposed by this section. Services purchased from
32 the same source or sources shall be subject to the service
33 tax imposed by this subchapter and apply to the user of the
34 services.

35 Sec. 201. Section 423.5, subsection 1, Code 2018, is amended

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1 by adding the following new paragraph:

2 NEW PARAGRAPH. *f.*(1) The use in this state of specified
3 digital products. The tax applies whether the purchaser
4 obtains permanent use or less than permanent use of the
5 specified digital product, whether the use is conditioned or
6 not conditioned upon continued payment from the purchaser,
7 and whether the use is on a subscription basis or is not on a
8 subscription basis.

9 (2) The use of a digital code that may be used to obtain
10 or access a specified digital product shall be taxed in the
11 same manner as the specified digital product. For purposes of
12 this subparagraph, “*digital code*” means the same as defined in
13 section 423.2, subsection 9A.

14 Sec. 202. Section 423.5, subsection 3, Code 2018, is amended
15 to read as follows:

16 3. For the purpose of the proper administration of the use
17 tax and to prevent its evasion, evidence that tangible personal
18 property ~~was or specified digital products were~~ sold by any
19 person for delivery in this state shall be prima facie evidence
20 that such tangible personal property ~~was or specified digital~~
21 products were sold for use in this state.

22 Sec. 203. Section 423.5, subsection 4, Code 2018, is amended
23 by striking the subsection.

24 Sec. 204. Section 423.6, unnumbered paragraph 1, Code 2018,
25 is amended to read as follows:

26 The use in this state of the following tangible personal

27 property, specified digital products, and services is exempted
28 from the tax imposed by this subchapter:

29 Sec. 205. Section 423.6, subsections 1, 2, 4, and 6, Code
30 2018, are amended to read as follows:

31 1. Tangible personal property, specified digital products,
32 and enumerated services, the sales price from the sale of which
33 are required to be included in the measure of the sales tax, if
34 that tax has been paid to the department or the retailer. This
35 exemption does not include vehicles subject to registration or

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1 subject only to the issuance of a certificate of title.

2 2. The sale of tangible personal property, specified
3 digital products, or the furnishing of services in the regular
4 course of business.

5 4. All articles of tangible personal property and all
6 specified digital products brought into the state of Iowa by a
7 nonresident individual for the individual's use or enjoyment
8 while within the state.

9 6. Tangible personal property, specified digital products,
10 or services the sales price of which is exempt from the sales
11 tax under section 423.3, except section 423.3, subsections 39
12 and 73, as it relates to the sale, but not the lease or rental,
13 of vehicles subject only to the issuance of a certificate of
14 title and as it relates to aircraft subject to registration
15 under section 328.20.

16 Sec. 206. Section 423.14, subsection 2, paragraphs b and c,
17 Code 2018, are amended to read as follows:

18 b. The tax upon the use of all tangible personal property
19 and specified digital products other than that enumerated in
20 paragraph "a", which is sold by a seller who is a retailer
21 ~~maintaining a place of business in this state, or by such other~~
22 ~~retailer or agent as the director shall authorize pursuant to~~
23 ~~section 423.30 or its agent that is not otherwise required~~
24 to collect sales tax under the provisions of this chapter,
25 shall be collected by the retailer or agent and remitted to the
26 department, pursuant to the provisions of paragraph "e", and
27 sections 423.24, 423.29, 423.30, 423.32, and 423.33.

28 c. The tax upon the use of all tangible personal property
29 and specified digital products not paid pursuant to paragraphs
30 "a" and "b" shall be paid to the department directly by any
31 person using the property within this state, pursuant to the
32 provisions of section 423.34.

33 Sec. 207. **NEW SECTION. 423.14A Persons required to collect**
34 **sales and use tax — supplemental conditions, requirements, and**
35 **responsibilities.**

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1 1. For purposes of this section:

2 a. "Iowa sales" means sales of tangible personal property,

3 services, or specified digital products sourced to this state
4 pursuant to section 423.15, 423.16, 423.17, 423.19, or 423.20,
5 or that are otherwise sold in this state or for delivery into
6 this state.

7 *b.(1) "Marketplace facilitator"* means a person, including
8 any affiliate of the person, who facilitates a retail sale by
9 satisfying subparagraph divisions (a) and (b) as follows:

10 (a) The person directly or indirectly does any of the
11 following:

12 (i) Lists, makes available, or advertises tangible personal
13 property, services, or specified digital products for sale
14 by a marketplace seller in a marketplace owned, operated, or
15 controlled by the person.

16 (ii) Facilitates the sale of a marketplace seller's
17 product through a marketplace by transmitting or otherwise
18 communicating an offer or acceptance of a retail sale of
19 tangible personal property, services, or specified digital
20 products between a marketplace seller and a purchaser in a
21 forum including a shop, store, booth, catalog, internet site,
22 or similar forum.

23 (iii) Owns, rents, licenses, makes available, or operates
24 any electronic or physical infrastructure or any property,
25 process, method, copyright, trademark, or patent that connects
26 marketplace sellers to purchasers for the purpose of making
27 retail sales of tangible personal property, services, or
28 specified digital products.

29 (iv) Provides a marketplace for making retail sales of
30 tangible personal property, services, or specified digital
31 products, or otherwise facilitates retail sales of tangible
32 personal property, services, or specified digital products,
33 regardless of ownership or control of the tangible personal
34 property, services, or specified digital products that are the
35 subject of the retail sale.

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1 (v) Provides software development or research and
2 development activities related to any activity described in
3 this subparagraph division (a), if such software development or
4 research and development activities are directly related to the
5 physical or electronic marketplace provided by a marketplace
6 provider.

7 (vi) Provides or offers fulfillment or storage services for
8 a marketplace seller.

9 (vii) Sets prices for a marketplace seller's sale of
10 tangible personal property, services, or specified digital
11 products.

12 (viii) Provides or offers customer service to a marketplace
13 seller or a marketplace seller's customers, or accepts or
14 assists with taking orders, returns, or exchanges of tangible
15 personal property, services, or specified digital products sold
16 by a marketplace seller.

- 17 (ix) Brands or otherwise identifies sales as those of the
18 marketplace facilitator.
- 19 (b) The person directly or indirectly does any of the
20 following:
- 21 (i) Collects the sales price or purchase price of a retail
22 sale of tangible personal property, services, or specified
23 digital products.
- 24 (ii) Provides payment processing services for a retail sale
25 of tangible personal property, services, or specified digital
26 products.
- 27 (iii) Charges, collects, or otherwise receives selling
28 fees, listing fees, referral fees, closing fees, fees for
29 inserting or making available tangible personal property,
30 services, or specified digital products on a marketplace, or
31 other consideration from the facilitation of a retail sale of
32 tangible personal property, services, or specified digital
33 products, regardless of ownership or control of the tangible
34 personal property, services, or specified digital products that
35 are the subject of the retail sale.

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- 1 (iv) Through terms and conditions, agreements, or
2 arrangements with a third party, collects payment in connection
3 with a retail sale of tangible personal property, services,
4 or specified digital products from a purchaser and transmits
5 that payment to the marketplace seller, regardless of whether
6 the person collecting and transmitting such payment receives
7 compensation or other consideration in exchange for the
8 service.
- 9 (v) Provides a virtual currency that purchasers are allowed
10 or required to use to purchase tangible personal property,
11 services, or specified digital products.
- 12 (2) “*Marketplace facilitator*” includes but is not limited
13 to a person who satisfies the requirements of this paragraph
14 through the ownership, operation, or control of a digital
15 distribution service, digital distribution platform, online
16 portal, or application store.
- 17 (3) A “*rental platform*”, as defined in section 423C.2, that
18 meets the requirements described in section 423C.3, subsection
19 3, paragraph “c”, subparagraph (2), shall not be considered
20 a “*marketplace facilitator*” with respect to any sale of a
21 transportation service under section 423.2, subsection 6,
22 paragraph “bf”, or section 423.5, subsection 1, paragraph “e”,
23 consisting of the rental of vehicles subject to registration
24 which are registered for a gross weight of thirteen tons or
25 less for a period of sixty days or less.
- 26 c. “*Marketplace seller*” means any of the following:
- 27 (1) A seller that makes retail sales through any physical
28 or electronic marketplace owned, operated, or controlled by a
29 marketplace facilitator, even if such seller would not have
30 been required to collect and remit sales and use tax had the

31 sale not been made through such marketplace.
 32 (2) A seller that makes retail sales resulting from a
 33 referral by a referrer, even if such seller would not have been
 34 required to collect and remit sales and use tax had the sale
 35 not been made through such referrer.

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1 2. In addition to and not in lieu of any application of
 2 this chapter to sellers who are retailers and sellers who are
 3 retailers maintaining a place of business in this state, any
 4 person described in subsection 3, or the person's agents,
 5 shall be considered a retailer in this state and a retailer
 6 maintaining a place of business in this state for purposes of
 7 this chapter on or after January 1, 2019, and shall be subject
 8 to all requirements of this chapter imposed on retailers and
 9 retailers maintaining a place of business in this state,
 10 including but not limited to the requirement to collect and
 11 remit sales and use taxes pursuant to sections 423.14 and
 12 423.29, and local option taxes under chapter 423B.

13 3.a. A retailer that has gross revenue from Iowa sales
 14 equal to or exceeding one hundred thousand dollars for an
 15 immediately preceding calendar year or a current calendar year.

16 b. A retailer that makes Iowa sales in two hundred or more
 17 separate transactions for an immediately preceding calendar
 18 year or a current calendar year.

19 c.(1) A retailer that owns, licenses, or uses software
 20 or data files that are installed or stored on property used
 21 in this state. For purposes of this subparagraph, "*software*
 22 *or data files*" include but are not limited to software that is
 23 affirmatively downloaded by a user, software that is downloaded
 24 as a result of the use of a website, preloaded software, and
 25 cookies.

26 (2) A retailer that uses in-state software to make Iowa
 27 sales. For purposes of this subparagraph, "*in-state software*"
 28 means computer software that is installed or stored on property
 29 located in this state or that is distributed within this state
 30 for the purpose of facilitating a sale by the retailer.

31 (3) A retailer that provides, or enters into an agreement
 32 with another person to provide, a content distribution network
 33 in this state to facilitate, accelerate, or enhance the
 34 delivery of the retailer's internet site to purchasers. For
 35 purposes of this subparagraph, "*content distribution network*"

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1 means a system of distributed servers that deliver internet
 2 sites and other internet content to a user based on the
 3 geographic location of the user, the origin of the internet
 4 site or internet content, and a content delivery server.

5 (4) This paragraph "c" shall not apply to a retailer that
 6 has gross revenue from Iowa sales of less than one hundred

7 thousand dollars for an immediately preceding calendar year or
8 a current calendar year.

9 *d.*(1) A marketplace facilitator that makes or facilitates
10 Iowa sales on its own behalf or for one or more marketplace
11 sellers equal to or exceeding one hundred thousand dollars,
12 or in two hundred or more separate transactions, for an
13 immediately preceding calendar year or a current calendar year.

14 (2) A marketplace facilitator shall collect sales and
15 use tax on the entire sales price or purchase price paid by
16 a purchaser on each Iowa sale subject to sales and use tax
17 that is made or facilitated by the marketplace facilitator,
18 regardless of whether the marketplace seller for whom an Iowa
19 sale is made or facilitated has or is required to have a
20 retail sales tax permit or would have been required to collect
21 sales and use tax had the sale not been facilitated by the
22 marketplace facilitator, and regardless of the amount of the
23 sales price or purchase price that will ultimately accrue
24 to or benefit the marketplace facilitator, the marketplace
25 seller, or any other person. This sales and use tax collection
26 responsibility of a marketplace facilitator applies but shall
27 not be limited to sales facilitated through a computer software
28 application, commonly referred to as in-app purchases, or
29 through another specified digital product.

30 (3) A marketplace facilitator shall be relieved of
31 liability under this paragraph “d” for failure to collect and
32 remit sales and use tax on an Iowa sale made or facilitated for
33 a marketplace seller under the following circumstances and up
34 to the amounts permitted under the following circumstances:

35 (a) If the marketplace facilitator demonstrates to the

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1 satisfaction of the department that the marketplace facilitator
2 has made a reasonable effort to obtain accurate information
3 from the marketplace seller about a retail sale and that
4 the failure to collect and remit the correct tax was due to
5 incorrect information provided to the marketplace facilitator
6 by the marketplace seller, then the marketplace facilitator
7 shall be relieved of liability for that retail sale. This
8 subparagraph division does not apply with regard to a retail
9 sale for which the marketplace facilitator is the seller or if
10 the marketplace facilitator and the seller are affiliates. For
11 Iowa sales for which a marketplace facilitator is relieved of
12 liability under this subparagraph division, the marketplace
13 seller and purchaser are liable for any amount of uncollected,
14 unpaid, or unremitted tax.

15 (b)(i) Subject to the limitation in subparagraph
16 subdivision (ii), if the marketplace facilitator demonstrates
17 to the satisfaction of the department that the Iowa sale was
18 made or facilitated for a marketplace seller prior to January
19 1, 2026, through a marketplace of the marketplace facilitator,
20 that the marketplace facilitator is not the seller and that

21 the marketplace facilitator and the seller are not affiliates,
22 and that the failure to collect sales and use tax was due to
23 an error other than an error in sourcing the sale. To the
24 extent that a marketplace facilitator is relieved of liability
25 for collection of sales and use tax under this subparagraph
26 division, the marketplace seller for whom the marketplace
27 facilitator has made or facilitated the Iowa sale is also
28 relieved of liability. The department may determine the manner
29 in which a marketplace facilitator or marketplace seller shall
30 claim the liability relief provided in this subparagraph
31 division.

32 (ii) The liability relief provided in subparagraph
33 subdivision (i) shall not exceed the following percentage
34 of the total sales and use tax due on Iowa sales made or
35 facilitated by a marketplace facilitator for marketplace

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1 sellers and sourced to this state during a calendar year,
2 which Iowa sales shall not include sales by the marketplace
3 facilitator or affiliates of the marketplace facilitator:

4 (A) For Iowa sales made or facilitated during the 2019
5 calendar year, ten percent.

6 (B) For Iowa sales made or facilitated during calendar years
7 2020 through 2024, five percent.

8 (C) For Iowa sales made or facilitated during the 2025
9 calendar year, three percent.

10 (c) Nothing in this subparagraph (3) shall be construed to
11 relieve any person of liability for collecting but failing to
12 remit to the department sales and use tax.

13 (d) A marketplace facilitator is deemed to be an agent
14 of any marketplace seller making retail sales through a
15 marketplace of the marketplace facilitator.

16 e.(1) A referrer if, for any immediately preceding
17 calendar year or a current calendar year, one hundred thousand
18 dollars or more in Iowa sales or two hundred or more separate
19 Iowa sales transactions result from referrals from a platform
20 of the referrer. A referrer is not required to collect and
21 remit sales and use tax pursuant to this paragraph if the
22 referrer does all of the following:

23 (a) The referrer posts a conspicuous notice on each platform
24 of the referrer that includes all of the following:

25 (i) A statement that sales or use tax is due on certain
26 purchases.

27 (ii) A statement that the marketplace seller from whom the
28 person is purchasing on the platform may or may not collect and
29 remit sales and use tax on a purchase.

30 (iii) A statement that Iowa requires the purchaser to pay
31 sales or use tax and file sales or use tax returns if sales
32 or use tax is not collected at the time of the sale by the
33 marketplace seller.

34 (iv) Information informing the purchaser that the notice is

35 provided under the requirements of this subparagraph.

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- 1 (v) Instructions for obtaining additional information from
2 the department regarding whether and how to remit sales and use
3 tax to the state of Iowa.
- 4 (b) The referrer provides a monthly notice to each
5 marketplace seller to whom the referrer made a referral of a
6 potential customer located in Iowa during the previous calendar
7 year, which monthly notice shall contain all of the following:
- 8 (i) A statement that Iowa imposes a sales or use tax on Iowa
9 sales.
- 10 (ii) A statement that a marketplace facilitator or other
11 retailer making Iowa sales must collect and remit sales and use
12 tax.
- 13 (iii) Instructions for obtaining additional information
14 from the department regarding the collection and remittance of
15 Iowa sales and use tax.
- 16 (c) The referrer provides the department with monthly
17 reports in an electronic format and in the manner prescribed
18 by the department, which monthly reports contain all of the
19 following:
- 20 (i) A list of marketplace sellers who received the
21 referrer's notice under subparagraph division (b).
- 22 (ii) A list of marketplace sellers that collect and
23 remit Iowa sales and use tax and that list or advertise the
24 marketplace seller's products for sale on a platform of the
25 referrer.
- 26 (iii) An affidavit signed under penalty of perjury from
27 an officer of the referrer affirming that the referrer made
28 reasonable efforts to comply with the applicable sales and use
29 tax notice and reporting requirements of this subparagraph.
- 30 (2) A referrer is deemed to be an agent of any marketplace
31 seller making retail sales resulting from a referral of the
32 referrer.
- 33 (3) For purposes of this paragraph:
- 34 (a) "*Platform*" means an electronic or physical medium,
35 including but not limited to an internet site or catalog, that

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- 1 is owned, operated, or controlled by a referrer.
- 2 (b) "*Referral*" means the transfer through telephone,
3 internet link, or other means by a referrer of a potential
4 customer to a retailer or seller who advertises or lists
5 products for sale on a platform of the referrer.
- 6 (c)(i) "*Referrer*" means a person who does all of the
7 following:
- 8 (A) Contracts or otherwise agrees with a retailer, seller,
9 or marketplace facilitator to list or advertise for sale a
10 product of the retailer, seller, or marketplace facilitator on

11 a platform, provided such listing or advertisement identifies
 12 whether or not the retailer, seller, or marketplace facilitator
 13 collects sales and use tax.

14 (B) Receives a commission, fee, or other consideration
 15 from the retailer, seller, or marketplace facilitator for the
 16 listing or advertisement.

17 (C) Provides referrals to a retailer, seller, or
 18 marketplace facilitator, or an affiliate of a retailer, seller,
 19 or marketplace facilitator.

20 (D) Does not collect money or other consideration from the
 21 customer for the transaction.

22 (i) "*Referrer*" does not include any of the following:

23 (A) A person primarily engaged in the business of printing
 24 or publishing a newspaper.

25 (B) A person who does not provide the retailer's, seller's,
 26 or marketplace facilitator's shipping terms and who does
 27 not advertise whether a retailer, seller, or marketplace
 28 facilitator collects sales or use tax.

29 (4) This paragraph only applies to referrals by a referrer
 30 and shall not preclude the applicability of other provisions
 31 of this section to a person who is a referrer and is also a
 32 retailer, a marketplace facilitator, or a marketplace seller.

33 *f.*(1) A retailer that makes Iowa sales through the use of
 34 a solicitor. For purposes of this paragraph, "*solicitor*" means
 35 a person that directly or indirectly solicits business for a

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1 retailer.

2 (2)(a) A retailer is deemed to have a solicitor in
 3 this state if the retailer enters into an agreement with a
 4 resident under which the resident, for a commission, fee, or
 5 other similar consideration, directly or indirectly refers
 6 potential customers, whether by link on an internet site,
 7 or otherwise, to the retailer. This determination may be
 8 rebutted by a showing of proof that the resident with whom the
 9 retailer has an agreement did not engage in any solicitation
 10 in this state on behalf of the retailer that would satisfy the
 11 nexus requirement of the United States Constitution during the
 12 calendar year in question.

13 (b) This subparagraph (2) shall not apply to a retailer that
 14 has Iowa gross revenue from Iowa sales of ten thousand dollars
 15 or less for an immediately preceding calendar year or a current
 16 calendar year.

17 (c) For purposes of this subparagraph (2):

18 (i) "*Iowa gross revenue*" means gross revenue from Iowa
 19 sales to purchasers who were referred to the retailer by all
 20 solicitors who are residents.

21 (ii) "*Resident*" includes an individual who is a resident
 22 of this state, as defined in section 422.4, and any business
 23 that owns any tangible or intangible property with a situs in
 24 this state, or that has one or more employees performing or

25 providing services for the business in this state.

26 (d) This paragraph “f” does not apply to chapter 422 and
27 does not expand or contract the state’s jurisdiction to tax a
28 trade or business under chapter 422.

29 g. A retailer that owns, controls, rents, licenses, makes
30 available, or uses any tangible or intangible property in this
31 state or with a situs in this state, to make or otherwise
32 facilitate a retail sale.

33 h.(1) Any person that enters into a contract or agreement
34 with a governmental entity, including but not limited to
35 contracts for the provision of financial assistance or

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1 incentives such as a tax credit, forgivable loan, grant, tax
2 rebate, or any other thing of value. For purposes of this
3 subparagraph, “*governmental entity*” means any unit of government
4 in the executive, legislative, or judicial branch, or any
5 political subdivision of the state, including but not limited
6 to a city, county, township, or school district.

7 (2) Every bid submitted and each contract or agreement
8 executed by a state agency shall contain a certification by
9 the bidder or contractor stating that the bidder or contractor
10 is registered with the department pursuant to this chapter
11 and will collect and remit Iowa sales and use tax due under
12 this chapter. In the certification, the bidder or contractor
13 shall also acknowledge that the state agency may declare the
14 contractor or bid void if the certification is false or becomes
15 false. Fraudulent certification, by act or omission, may
16 result in the state agency or its representative filing for
17 damages for breach of contract.

18 i. Any affiliate of any person that is required to collect
19 and remit sales and use tax under this chapter, provided the
20 affiliate makes retail sales.

21 Sec. 208. **NEW SECTION. 423.14B Sales and use tax reporting**
22 **requirements — penalties.**

23 1. For purposes of this section, “*Iowa sales*” and
24 “*marketplace facilitator*” all mean the same as defined in
25 section 423.14A.

26 2. The department may, in its discretion, adopt rules
27 pursuant to chapter 17A establishing and imposing notice and
28 reporting requirements related to Iowa sales for retailers,
29 including but not limited to marketplace facilitators,
30 who do not collect and remit sales and use tax under this
31 chapter. The rules may include but are not limited to rules
32 requiring retailers, including but not limited to marketplace
33 facilitators, to do any of the following:

34 a. Notify purchasers at the time of an Iowa sales
35 transaction of sales and use tax obligations under this

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1 chapter.

2 *b.* Provide purchasers with periodic reports of purchases
3 that are Iowa sales.

4 *c.* Provide the department with annual reports that include
5 but are not limited to information relating to purchases,
6 purchasers, and Iowa sales.

7 *3.a.* The department may adopt rules pursuant to chapter
8 17A establishing and imposing penalties as described in and
9 subject to the dollar limitations of paragraph “*b*”, provided
10 that any such penalty shall include a procedure for waiver
11 of the penalty upon a showing of reasonable cause for such
12 failure.

13 *b.(1)* The department may impose penalties for failure to
14 provide a notification to a purchaser in the manner and form
15 prescribed by the department by rule. Such penalties shall not
16 exceed five dollars for each failure.

17 (2) The department may impose penalties for failure to
18 provide a purchaser with a periodic report of purchases in the
19 manner and form prescribed by the department by rule. Such
20 penalties shall not exceed ten dollars for each failure.

21 (3) The department may impose penalties for failure to
22 provide the department with an annual report in the manner
23 and form prescribed by the department. Such penalties shall
24 not exceed an amount per annual report equal to ten dollars
25 multiplied by the number of purchasers for whom information
26 should have been but was not included in the annual report.

27 Sec. 209. Section 423.15, unnumbered paragraph 1, Code
28 2018, is amended to read as follows:

29 All sales of ~~products~~ tangible personal property, services,
30 or specified digital products, except those sales enumerated
31 in section 423.16, shall be sourced according to this section
32 by sellers obligated to collect Iowa sales and use tax. The
33 sourcing rules described in this section apply to sales of
34 tangible personal property, specified digital goods ~~products~~,
35 and all services other than telecommunications services. This

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1 section only applies to determine a seller’s obligation to pay
2 or collect and remit a Iowa sales or use tax with respect to
3 the seller’s sale of a product. This section does not affect
4 the obligation of a purchaser or lessee to remit tax on the use
5 of the product to the taxing jurisdictions in which the use
6 occurs. A seller’s obligation to collect Iowa sales tax or
7 Iowa use tax only occurs if the sale is sourced to this state.
8 ~~Whether Iowa sales tax applies to a sale sourced to Iowa shall~~
9 ~~be determined based on the location at which the sale is~~
10 ~~consummated by delivery or, in the case of a service, where the~~
11 ~~first use of the service occurs~~ made by a seller subject to
12 section 423.1, subsection 48, or section 423.14A.

13 Sec. 210. Section 423.15, subsection 1, paragraph e, Code
14 2018, is amended to read as follows:

15 e. When paragraphs “a”, “b”, “c”, and “d” do not apply,
16 including the circumstance where the seller is without
17 sufficient information to apply the previous rules, then the
18 location will be determined by the address from which tangible
19 personal property was shipped, from which the specified digital
20 ~~good product~~ or the computer software delivered electronically
21 was first available for transmission by the seller, or from
22 which the service was provided disregarding for these purposes
23 any location that merely provided the digital transfer of the
24 product sold.

25 Sec. 211. Section 423.22, Code 2018, is amended to read as
26 follows:

27 **423.22 Taxation in another state.**

28 If any person who causes tangible personal property or
29 specified digital products to be brought into this state or
30 who uses in this state services enumerated in section 423.2
31 has already paid a tax in another state in respect to the sale
32 or use of the property or the performance of the service, or
33 an occupation tax in respect to the property or service, in
34 an amount less than the tax imposed by subchapter II or III,
35 the provisions of those subchapters shall apply, but at a rate

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1 measured by the difference only between the rate fixed by
2 subchapter II or III and the rate by which the previous tax on
3 the sale or use, or the occupation tax, was computed. If the
4 tax imposed and paid in the other state is equal to or more than
5 the tax imposed by those subchapters, then a tax is not due in
6 this state on the personal property or service.

7 Sec. 212. Section 423.29, subsection 1, Code 2018, is
8 amended to read as follows:

9 1. Every seller who is a retailer and who is making taxable
10 sales of tangible personal property or specified digital
11 products in Iowa shall, at the time of selling the property
12 making the sale, collect the sales tax. Every seller who
13 is a retailer ~~maintaining a place of business in this state~~
14 ~~that is not otherwise required to collect sales tax under the~~
15 ~~provisions of this chapter~~ and who is selling tangible personal
16 property or specified digital products for use in Iowa shall,
17 at the time of making the sale, whether within or without the
18 state, collect the use tax. Sellers required to collect sales
19 or use tax shall give to any purchaser a receipt for the tax
20 collected in the manner and form prescribed by the director.

21 Sec. 213. Section 423.30, subsection 1, Code 2018, is
22 amended to read as follows:

23 1. The director may, upon application, authorize the
24 collection of the use tax by any seller who is a retailer not
25 maintaining a place of business within this state and not
26 registered under the agreement, who, to the satisfaction of

27 the director, furnishes adequate security to ensure collection
 28 and payment of the tax. Such sellers shall be issued, without
 29 charge, permits to collect tax subject to any regulations
 30 which the director shall prescribe. When so authorized, it
 31 shall be the duty of foreign sellers to collect the tax upon
 32 all tangible personal property and specified digital products
 33 sold, to the retailer's knowledge, for use within this state,
 34 in the same manner and subject to the same requirements as a
 35 retailer maintaining a place of business within this state.

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1 The authority and permit may be canceled when, at any time, the
 2 director considers the security inadequate, or that tax can
 3 more effectively be collected from the person using property
 4 in this state.

5 Sec. 214. Section 423.31, subsection 1, Code 2018, is
 6 amended to read as follows:

7 1. Each person subject to this section and section 423.36
 8 and in accordance with the provisions of this section and
 9 section 423.36 shall, on or before the last day of the month
 10 following the close of each calendar quarter during which
 11 such person is or has become or ceased being subject to the
 12 provisions of this section and section 423.36, make, sign, and
 13 file a return for the calendar quarter in the form as may be
 14 required. Returns shall show information relating to sales
 15 prices including ~~goods, wares,~~ tangible personal property,
 16 specified digital products, and services converted to the
 17 use of such person, the amounts of sales prices excluded and
 18 exempt from the tax, the amounts of sales prices subject to
 19 tax, a calculation of tax due, and any other information for
 20 the period covered by the return as may be required. Returns
 21 shall be signed by the retailer or the retailer's authorized
 22 agent and must be certified by the retailer to be correct in
 23 accordance with forms and rules prescribed by the director.

24 Sec. 215. Section 423.31, subsection 5, paragraph a, Code
 25 2018, is amended to read as follows:

26 a. Upon making application and receiving approval from
 27 the director, a ~~parent corporation person~~ parent corporation person and its ~~affiliated~~
 28 ~~corporations~~ affiliates that make retail sales of tangible
 29 personal property, specified digital products, or taxable
 30 enumerated services may make deposits and file a consolidated
 31 sales tax return for the affiliated group, pursuant to rules
 32 adopted by the director. A ~~parent corporation person~~ parent corporation person and each
 33 ~~affiliate corporation~~ affiliate that files a consolidated return are
 34 jointly and severally liable for all tax, penalty, and interest
 35 found due for the tax period for which a consolidated return is

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1 filed or required to be filed.

2 Sec. 216. Section 423.32, subsection 1, paragraph b, Code

3 2018, is amended to read as follows:

4 **b.** The deposit form is due on or before the twentieth day of
5 the month following the month of collection, except a deposit
6 is not required for the third month of the calendar quarter,
7 and the total quarterly amount, less the amounts deposited for
8 the first two months of the quarter, is due with the quarterly
9 report on the last day of the month following the month of
10 collection. At that time, the retailer shall file with the
11 department a return for the preceding quarterly period in the
12 form prescribed by the director showing the purchase price of
13 the tangible personal property, specified digital products, and
14 services sold by the retailer during the preceding quarterly
15 period, the use of which is subject to the use tax imposed
16 by this chapter, and other information the director deems
17 necessary for the proper administration of the use tax.

18 Sec. 217. Section 423.33, subsection 3, Code 2018, is
19 amended to read as follows:

20 3. *Event sponsor's liability for sales tax.* A person
21 sponsoring a flea market or a craft, antique, coin, or stamp
22 show or similar event shall obtain from every retailer selling
23 tangible personal property, specified digital products,
24 or taxable services at the event proof that the retailer
25 possesses a valid sales tax permit or secure from the retailer
26 a statement, taken in good faith, that tangible personal
27 property, specified digital products, or services offered for
28 sale are not subject to sales tax. Failure to do so renders
29 a sponsor of the event liable for payment of any sales tax,
30 interest, and penalty due and owing from any retailer selling
31 property or services at the event. Sections 423.31, 423.32,
32 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 apply to the
33 sponsors. For purposes of this subsection, a "*person sponsoring*
34 *a flea market or a craft, antique, coin, or stamp show or similar*
35 *event*" does not include an organization which sponsors an

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1 event determined to qualify as an event involving casual sales
2 pursuant to section 423.3, subsection 39, or the state fair or
3 a fair as defined in section 174.1.

4 Sec. 218. Section 423.33, Code 2018, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 4. *Liability of affiliates.*

7 **a.** Notwithstanding any other provision of law to the
8 contrary, if any retailer required to collect and remit sales
9 and use tax pursuant to sections 423.14, 423.14A, and 423.29,
10 or any other provision of this chapter, fails to do so, all
11 affiliates that directly, indirectly, or constructively control
12 the retailer shall be jointly and severally liable for any tax,
13 penalty, and interest under this chapter, regardless of whether
14 the affiliate is a retailer.

15 **b.** Pursuant to paragraph "*a*", the department may elect
16 to assess the full amount of any tax, penalty, and interest

17 against the retailer, an affiliate of the retailer described
 18 in paragraph "a", or any combination of the retailer and the
 19 retailer's affiliates described in paragraph "a".

20 c. Notwithstanding any other provision of law to the
 21 contrary, the department has the discretion to deem an
 22 affiliate of a retailer an agent or alter ego of that retailer.

23 d. Notwithstanding any other provision of law to the
 24 contrary, the department has the discretion to disregard or
 25 look through any organizational structure of an enterprise in
 26 order to assess and collect any tax, penalty, and interest
 27 against an affiliate that is acting to benefit an affiliate or
 28 an enterprise of which the affiliate is a part.

29 Sec. 219. Section 423.34, Code 2018, is amended to read as
 30 follows:

31 **423.34 Liability of user.**

32 Any person who uses any tangible personal property,
 33 specified digital products, or services enumerated in section
 34 423.2 upon which the use tax has not been paid, either to the
 35 county treasurer or to a retailer or direct to the department

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1 as required by this subchapter, shall be liable for the payment
 2 of tax, and shall on or before the last day of the month next
 3 succeeding each quarterly period pay the use tax upon all
 4 property or services used by the person during the preceding
 5 quarterly period in the manner and accompanied by such returns
 6 as the director shall prescribe. All of the provisions of
 7 sections 423.32 and 423.33 with reference to the returns and
 8 payments shall be applicable to the returns and payments
 9 required by this section.

10 Sec. 220. Section 423.36, subsection 1, Code 2018, is
 11 amended to read as follows:

12 1. A person shall not engage in or transact business as a
 13 retailer making taxable sales of tangible personal property,
 14 specified digital products, or furnishing services within
 15 this state or as a retailer making taxable sales of tangible
 16 personal property, specified digital products, or furnishing
 17 services for use within this state, unless a permit has been
 18 issued to the retailer under this section, except as provided
 19 in subsection 7. Every person desiring to engage in or
 20 transact business as a retailer shall file with the department
 21 an application for a permit to collect sales or use tax. Every
 22 application for a sales or use tax permit shall be made upon
 23 a form prescribed by the director and shall set forth any
 24 information the director may require. The application shall
 25 be signed by an owner of the business if a natural person; in
 26 the case of a retailer which is an association or partnership,
 27 by a member or partner; and in the case of a retailer which
 28 is a corporation, by an executive officer or some person
 29 specifically authorized by the corporation to sign the
 30 application, to which shall be attached the written evidence of

31 the person's authority.

32 Sec. 221. Section 423.36, subsection 2, paragraph a, Code
33 2018, is amended to read as follows:

34 a. Notwithstanding subsection 1, if any person will make
35 taxable sales of tangible personal property, specified digital

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1 products, or furnish services to any state agency, that person
2 shall, prior to the sale, apply for and receive a permit to
3 collect sales or use tax pursuant to this section. A state
4 agency shall not purchase tangible personal property, specified
5 digital products, or services from any person unless that
6 person has a valid, unexpired permit issued pursuant to this
7 section and is in compliance with all other requirements in
8 this chapter imposed upon retailers, including but not limited
9 to the requirement to collect and remit sales and use tax and
10 file sales and use tax returns.

11 Sec. 222. Section 423.36, subsection 7, paragraph b, Code
12 2018, is amended to read as follows:

13 b. Persons engaged in selling tangible personal property,
14 specified digital products, or furnishing services shall not be
15 required to obtain or retain a sales tax permit for a place of
16 business at which taxable sales of tangible personal property,
17 specified digital products, or taxable performance of services
18 will not occur.

19 Sec. 223. Section 423.36, subsection 9, paragraph a, Code
20 2018, is amended to read as follows:

21 a. Except as provided in paragraph "b", purchasers, users,
22 and consumers of tangible personal property, specified digital
23 products, or enumerated services taxed pursuant to subchapter
24 II or III of this chapter or chapter 423B may be authorized,
25 pursuant to rules adopted by the director, to remit tax owed
26 directly to the department instead of the tax being collected
27 and paid by the seller. To qualify for a direct pay tax permit,
28 the purchaser, user, or consumer must accrue a tax liability
29 of more than four thousand dollars in tax under subchapters
30 II and III in a semimonthly period and make deposits and file
31 returns pursuant to section 423.31. This authority shall not
32 be granted or exercised except upon application to the director
33 and then only after issuance by the director of a direct pay
34 tax permit.

35 Sec. 224. Section 423.40, subsection 2, Code 2018, is

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1 amended to read as follows:

2 2.a. Any person who knowingly sells tangible personal
3 property, specified digital products, tickets or admissions
4 to places of amusement and athletic events, or gas, water,
5 electricity, or communication service at retail, or engages in
6 the furnishing of services enumerated in section 423.2, in this

7 state without procuring a permit to collect tax, as provided
 8 in section 423.36, or who violates section 423.24 and the
 9 officers of any corporation who so act are guilty of a serious
 10 misdemeanor.

11 *b.* A person who knowingly sells tangible personal property,
 12 specified digital products, tickets or admissions to places of
 13 amusement and athletic events, or gas, water, electricity, or
 14 communication service at retail, or engages in the furnishing
 15 of services enumerated in section 423.2, in this state after
 16 the person's sales tax permit has been revoked and before it
 17 has been restored as provided in section 423.36, subsection 6,
 18 and the officers of any corporation who so act are guilty of an
 19 aggravated misdemeanor.

20 Sec. 225. Section 423.41, Code 2018, is amended to read as
 21 follows:

22 **423.41 Books — examination.**

23 Every retailer required or authorized to collect taxes
 24 imposed by this chapter and every person using in this state
 25 tangible personal property, specified digital products,
 26 services, or the product of services shall keep records,
 27 receipts, invoices, and other pertinent papers as the director
 28 shall require, in the form that the director shall require,
 29 for as long as the director has the authority to examine and
 30 determine tax due. The director or any duly authorized agent
 31 of the department may examine the books, papers, records,
 32 and equipment of any person ~~either~~ selling tangible personal
 33 property, specified digital products, or services or liable
 34 for the tax imposed by this chapter, and investigate the
 35 character of the business of any person in order to verify

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1 the accuracy of any return made, or if a return was not made
 2 by the person, ascertain and determine the amount due under
 3 this chapter. These books, papers, and records shall be made
 4 available within this state for examination upon reasonable
 5 notice when the director deems it advisable and so orders. If
 6 the taxpayer maintains any records in an electronic format,
 7 the taxpayer shall comply with reasonable requests by the
 8 director or the director's authorized agents to provide those
 9 electronic records in a standard record format. The preceding
 10 requirements shall likewise apply to users and persons
 11 furnishing services enumerated in section 423.2.

12 Sec. 226. Section 423.45, subsection 4, paragraphs a, b, and
 13 e, Code 2018, are amended to read as follows:

14 *a.* The department shall issue or the seller may separately
 15 provide exemption certificates in the form prescribed by the
 16 director, including certificates not made of paper, which
 17 conform to the requirements of paragraph "c", to assist
 18 retailers in properly accounting for nontaxable sales of
 19 tangible personal property, specified digital products,
 20 or services to purchasers for a nontaxable purpose. The

21 department shall also allow the use of exemption certificates
22 for those circumstances in which a sale is taxable but the
23 seller is not obligated to collect tax from the buyer.

24 *b.* The sales tax liability for all sales of tangible
25 personal property and specified digital products and all sales
26 of services is upon the seller and the purchaser unless the
27 seller takes from the purchaser a valid exemption certificate
28 stating under penalty of perjury that the purchase is for a
29 nontaxable purpose and is not a retail sale as defined in
30 section 423.1, or the seller is not obligated to collect tax
31 due, or unless the seller takes a fuel exemption certificate
32 pursuant to subsection 5. If the tangible personal property,
33 specified digital products, or services are purchased tax free
34 pursuant to a valid exemption certificate and the tangible
35 personal property, specified digital products, or services are

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1 used or disposed of by the purchaser in a nonexempt manner, the
2 purchaser is solely liable for the taxes and shall remit the
3 taxes directly to the department and sections 423.31, 423.32,
4 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 shall apply
5 to the purchaser.

6 *e.* If the circumstances change and as a result the tangible
7 personal property, specified digital products, or services are
8 used or disposed of by the purchaser in a nonexempt manner or
9 the purchaser becomes obligated to pay the tax, the purchaser
10 is liable solely for the taxes and shall remit the taxes
11 directly to the department in accordance with this subsection.

12 Sec. 227. Section 423.57, Code 2018, is amended to read as
13 follows:

14 **423.57 Statutes applicable.**

15 The director shall administer this subchapter as it relates
16 to the taxes imposed in this chapter in the same manner and
17 subject to all the provisions of, and all of the powers,
18 duties, authority, and restrictions contained in sections
19 423.14, 423.14A, 423.14B, 423.15, 423.16, 423.17, 423.19,
20 423.20, 423.21, 423.22, 423.23, 423.24, 423.25, 423.29, 423.31,
21 423.32, 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38,
22 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection
23 1, and sections 423.45, 423.46, and 423.47.

24 Sec. 228. Section 423.58, Code 2018, is amended to read as
25 follows:

26 **423.58 Collection, permit, and tax return exemption for**
27 **certain out-of-state businesses.**

28 Notwithstanding sections 423.14, 423.14A, 423.14B, 423.29,
29 423.31, 423.32, and 423.36, a person meeting the requirements
30 of section 29C.24 is not required to obtain a sales or use tax
31 permit, collect and remit sales and use tax, or make and file
32 applicable sales or use tax returns, as provided in section
33 29C.24, subsection 3, paragraph "a", subparagraph (2).

34 Sec. 229. Section 423B.5, subsection 1, Code 2018, is

35 amended to read as follows:

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1 1. A local sales and services tax at the rate of not more
2 than one percent may be imposed by a county on the sales price
3 taxed by the state under chapter 423, subchapter II. A local
4 sales and services tax shall be imposed on the same basis as
5 the state sales and services tax or in the case of the use of
6 natural gas, natural gas service, electricity, or electric
7 service on the same basis as the state use tax and shall not
8 be imposed on the sale of any property or on any service not
9 taxed by the state, except the tax shall not be imposed on
10 the sales price from the sale of motor fuel or special fuel
11 as defined in chapter 452A which is consumed for highway use
12 or in watercraft or aircraft if the fuel tax is paid on the
13 transaction and a refund has not or will not be allowed, on the
14 sales price from the sale of equipment by the state department
15 of transportation, or on the sales price from the sale or use
16 of natural gas, natural gas service, electricity, or electric
17 service in a city or county where the sales price from the sale
18 of natural gas or electric energy is subject to a franchise
19 fee or user fee during the period the franchise or user fee
20 is imposed. A local sales and services tax is applicable
21 to transactions within those incorporated and unincorporated
22 areas of the county where it is imposed ~~and, which transactions~~
23 include but are not limited to sales sourced pursuant to
24 section 423.15, 423.17, 423.19, or 423.20, to a location within
25 that city or unincorporated area of the county. The tax shall
26 be collected by all persons required to collect state sales
27 taxes. All cities contiguous to each other shall be treated
28 as part of one incorporated area and the tax would be imposed
29 in each of those contiguous cities only if the majority of
30 those voting in the total area covered by the contiguous cities
31 favors its imposition. In the case of a local sales and
32 services tax submitted to the registered voters of two or more
33 contiguous counties as provided in section 423B.1, subsection
34 4, paragraph "c", all cities contiguous to each other shall be
35 treated as part of one incorporated area, even if the corporate

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1 boundaries of one or more of the cities include areas of more
2 than one county, and the tax shall be imposed in each of those
3 contiguous cities only if a majority of those voting on the tax
4 in the total area covered by the contiguous cities favored its
5 imposition.
6 Sec. 230. Section 423B.6, subsection 2, paragraph b, Code
7 2018, is amended to read as follows:
8 b. The ordinance of a county board of supervisors imposing
9 a local sales and services tax shall adopt by reference the
10 applicable provisions of the appropriate sections of chapter

11 423. All powers and requirements of the director to administer
12 the state sales tax law and use tax law are applicable to the
13 administration of a local sales and services tax law and the
14 local excise tax, including but not limited to the provisions
15 of section 422.25, subsection 4, sections 422.30, 422.67,
16 and 422.68, section 422.69, subsection 1, sections 422.70
17 through 422.75, section 423.14, subsection 1 and subsection
18 2, paragraphs “b” through “e”, and sections 423.14A, 423.15,
19 423.23, 423.24, 423.25, 423.31 through 423.35, 423.37 through
20 423.42, 423.46, and 423.47. Local officials shall confer
21 with the director of revenue for assistance in drafting the
22 ordinance imposing a local sales and services tax. A certified
23 copy of the ordinance shall be filed with the director as soon
24 as possible after passage.

25 Sec. 231.LEGISLATIVE INTENT. It is the intent of the
26 general assembly that the provisions of this division of this
27 Act amending the definition of “place of business” in section
28 423.1, subsection 37, and “sales” in section 423.1, subsection
29 50, enacting definitions of “sold at retail in the state” in
30 section 423.1, subsection 55A, and “subscription” in section
31 423.1, subsection 57A, and amending the enumerated service of
32 pay television in 423.2, subsection 6, paragraph “a”, are
33 conforming amendments consistent with current state law, and
34 that the amendments do not change the application of current
35 law but instead reflect current law both before and after the

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1 enactment of this division of this Act.

2 Sec. 232.RELATIONSHIP TO EXISTING LAW FOR TAXATION OF
3 SPECIFIED DIGITAL PRODUCTS. The provisions of this division of
4 this Act relating to the imposition of tax on the sale or use of
5 “specified digital products”, as defined in this division of
6 this Act, shall not be construed as affecting the taxability
7 or nontaxability under other provisions of existing law of
8 sales or uses occurring prior to the enactment of this division
9 of this Act of products meeting the definition of “specified
10 digital products”, as defined in this division of this Act.

11 Sec. 233.EFFECTIVE DATE. Except as otherwise provided
12 in this division of this Act, this division of this Act takes
13 effect January 1, 2019.

14 Sec. 234.EFFECTIVE DATE. The following, being deemed of
15 immediate importance, take effect upon enactment:

16 1. The sections of this division of this Act amending
17 section 423.1, subsections 37 and 50.

18 2. The sections of this division of this Act enacting
19 section 423.1, subsections 55A and 57A.

20 3. The section of this division of this Act amending section
21 423.3, subsection 47, paragraph “d”, subparagraph (4).

22 4. The provision amending the enumerated service of pay
23 television to include but not be limited to streaming video,
24 video on-demand, and pay-per-view, in the section of this

25 division of this Act amending section 423.2, subsection 6, by
 26 designating paragraph "a".
 27 5. The section of this division of this Act entitled
 28 "legislative intent" which describes the intent of the general
 29 assembly with respect to certain amendments in this division of
 30 this Act to the definition of "place of business" in section
 31 423.1, subsection 37, "sales" in section 423.1, subsection 50,
 32 the enactment of a definition for "subscription" in section
 33 423.1, subsection 57A, and "sold at retail" in section 423.1,
 34 subsection 55A, and amendments to the enumerated service of pay
 35 television in section 423.2, subsection 6, paragraph "a".

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1 Sec. 235.EFFECTIVE DATE. The following take effect July
 2 1, 2018:
 3 1. The section of this division of this Act amending section
 4 423.2, subsection 1, paragraph "a", subparagraph (1).
 5 2. The provisions adding photography and retouching to the
 6 list of enumerated services subject to the sales tax in the
 7 section of this division of this Act amending section 423.2,
 8 subsection 6, by enacting paragraphs "bo" and "bp".
 9 3. The section of this division of this Act enacting section
 10 423.2, subsection 8, paragraph "d".
 11 4. The section of this division of this Act amending section
 12 423.5, subsection 1, paragraph "a".

13 DIVISION XII

14 APPROVAL AND IMPOSITION OF LOCAL OPTION SALES AND SERVICES TAX

15 Sec. 236. Section 423B.1, subsection 2, paragraph b,
 16 subparagraph (3), Code 2018, is amended to read as follows:
 17 (3) The tax once imposed shall continue to be imposed until
 18 the county-imposed tax is ~~reduced or increased in rate or~~
 19 ~~repealed, and then the city-imposed tax shall also be reduced~~
 20 ~~or increased in rate or repealed in the same amount and be~~
 21 effective on the same date.

22 Sec. 237. Section 423B.1, subsections 3, 4, and 5, Code
 23 2018, are amended to read as follows:

24 ~~3.a. A local option tax shall be imposed only after an~~
 25 ~~election at which~~ If a majority of those voting on the question
 26 of imposition of a local option tax favors imposition and, the
 27 local option tax shall then be imposed at the rate specified
 28 on the ballot until repealed as provided in subsection 6,
 29 paragraph "a" this chapter.

30 b. If the tax is a local vehicle tax imposed by a county,
 31 it shall apply to all incorporated and unincorporated areas of
 32 the county.

33 c. (1) If the tax is a local sales and services tax
 34 imposed by a county, it shall only apply to those incorporated
 35 areas and the unincorporated area of that county in which a

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1 majority of those voting in the area on the tax favors its
 2 imposition. For purposes of the local sales and services tax,
 3 all cities contiguous to each other shall be treated as part of
 4 one incorporated area and the tax would be imposed in each of
 5 those contiguous cities only if the majority of those voting
 6 in the total area covered by the contiguous cities favors its
 7 imposition. ~~In the case of a local sales and services tax~~
 8 ~~submitted to the registered voters of two or more contiguous~~
 9 ~~counties as provided in subsection 4, paragraph “c”, all cities~~
 10 ~~contiguous to each other shall be treated as part of one~~
 11 ~~incorporated area, even if the corporate boundaries of one or~~
 12 ~~more of the cities include areas of more than one county, and~~
 13 ~~the tax shall be imposed in each of those contiguous cities~~
 14 ~~only if a majority of those voting on the tax in the total area~~
 15 ~~covered by the contiguous cities favored its imposition. For~~
 16 purposes of the local sales and services tax, a city is not
 17 contiguous to another city if the only road access between the
 18 two cities is through another state.

19 (2) The treatment of contiguous cities as one incorporated
 20 area for the purpose of determining whether a majority of those
 21 voting favors imposition does not apply to elections on the
 22 question of imposition of a local sales and services tax in
 23 all or a portion of a county that is a qualified county if the
 24 election occurs on or after January 1, 2019. For purposes
 25 of this chapter, “qualified county” means a county with a
 26 population in excess of four hundred thousand, a county with
 27 a population of at least one hundred thirty thousand but not
 28 more than one hundred thirty-one thousand, or a county with a
 29 population of at least sixty thousand but not more than seventy
 30 thousand, according to the 2010 federal decennial census.

31 ~~4.a.(1) A~~ The county board of supervisors shall direct
 32 within thirty days the county commissioner of elections to
 33 submit the question of imposition of a local vehicle tax ~~or~~
 34 ~~a local sales and services tax~~ to the registered voters of
 35 the incorporated and unincorporated areas of the county upon

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1 receipt of a petition, requesting imposition of a local vehicle
 2 tax ~~or a local sales and services tax~~, signed by eligible
 3 electors of the whole county equal in number to five percent of
 4 the persons in the whole county who voted at the last preceding
 5 general election. ~~In the case of a local vehicle tax, the~~ The
 6 petition requesting imposition shall specify the rate of tax
 7 and the classes, if any, that are to be exempt. If more than
 8 one valid petition is received, the earliest received petition
 9 shall be used.

10 (2) The county board of supervisors shall direct within
 11 thirty days the county commissioner of elections to submit the
 12 question of imposition of a local sales and services tax to the

13 registered voters of the incorporated and unincorporated areas
 14 of the county upon receipt of a petition requesting imposition
 15 of a local sales and services tax, signed by eligible electors
 16 of the whole county equal in number to five percent of the
 17 persons in the whole county who voted at the last preceding
 18 general election. If more than one valid petition is received,
 19 the earliest received petition shall be used.
 20 (3) In lieu of the petition requirement of subparagraph
 21 (2), the county board of supervisors for a county that is a
 22 qualified county shall direct within thirty days the county
 23 commissioner of elections to submit the question of imposition
 24 of a local sales and services tax to the registered voters of a
 25 city, or the portion thereof located in the county, or to the
 26 registered voters of the unincorporated area of the county upon
 27 receipt by the board of supervisors of a petition requesting
 28 imposition of a local sales and services tax, signed by
 29 eligible electors of the city, or the portion thereof located
 30 in the county, or eligible electors of the unincorporated area
 31 of the county, as applicable, equal in number to five percent
 32 of the persons in the city, or applicable portion thereof, or
 33 in the unincorporated area of the county who voted at the last
 34 preceding general election. If more than one valid petition
 35 is received for a city or for the unincorporated area of the

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1 county, the earliest received petition shall be used. This
 2 subparagraph applies to petitions received on or after January
 3 1, 2019.
 4 b.(1) The question of the imposition of a local sales
 5 and services tax shall be submitted to the registered voters
 6 of the incorporated and unincorporated areas of the county
 7 upon receipt by the county commissioner of elections of the
 8 motion or motions, requesting such submission, adopted by
 9 the governing body or bodies of the city or cities located
 10 within the county or of the county, for the unincorporated
 11 areas of the county, representing at least one half of the
 12 population of the county. Upon adoption of such motion, the
 13 governing body of the city or county, for the unincorporated
 14 areas, shall submit the motion to the county commissioner of
 15 elections and in the case of the governing body of the city
 16 shall notify the board of supervisors of the adoption of the
 17 motion. The county commissioner of elections shall keep a file
 18 on all the motions received and, upon reaching the population
 19 requirements, shall publish notice of the ballot proposition
 20 concerning the imposition of the local sales and services tax.
 21 A motion ceases to be valid at the time of the holding of the
 22 regular election for the election of members of the governing
 23 body ~~which~~ that adopted the motion. The county commissioner of
 24 elections shall eliminate from the file any motion that ceases
 25 to be valid.
 26 (2) In lieu of the motion requirements of subparagraph (1),

27 the question of the imposition of a local sales and services
 28 tax shall be submitted to the registered voters of a city
 29 located in a county that is a qualified county, or the portion
 30 thereof located in the county, or to the registered voters
 31 of the unincorporated area of a county that is a qualified
 32 county upon receipt by the county commissioner of elections of
 33 a motion requesting such submission, adopted by the governing
 34 body of the city or the county for the unincorporated area of
 35 the county, as applicable. Upon adoption of such motion, the

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1 governing body of the city or county for the unincorporated
 2 area shall submit the motion to the county commissioner of
 3 elections. The county commissioner of elections shall publish
 4 notice of the ballot proposition concerning the imposition of
 5 the local sales and services tax. This subparagraph applies to
 6 motions received by the county commissioner of elections on or
 7 after January 1, 2019.
 8 (3) The manner methods provided under this paragraph for the
 9 submission of the question of imposition of a local sales and
 10 services tax is an alternative are alternatives to the manner
 11 methods provided in paragraph "a".
 12 e. Upon receipt of petitions or motions calling for the
 13 submission of the question of the imposition of a local sales
 14 and services tax as described in paragraph "a" or "b", the
 15 boards of supervisors of two or more contiguous counties in
 16 which the question is to be submitted may enter into a joint
 17 agreement providing that for purposes of this chapter, a
 18 city whose corporate boundaries include areas of more than
 19 one county shall be treated as part of the county in which a
 20 majority of the residents of the city reside. In such event,
 21 the county commissioners of elections from each such county
 22 shall cooperate in the selection of a single date upon which
 23 the election shall be held, and for all purposes of this
 24 chapter relating to the imposition, repeal, change of use,
 25 or collection of the tax, such a city shall be deemed to be
 26 part of the county in which a majority of the residents of the
 27 city reside. A copy of the joint agreement shall be provided
 28 promptly to the director of revenue.
 29 5.a. The county commissioner of elections shall submit
 30 the question of imposition of a local option tax at an election
 31 held on a date specified in section 39.2, subsection 4,
 32 paragraph "a" or "b", as applicable. The election shall not be
 33 held sooner than sixty days after publication of notice of the
 34 ballot proposition.
 35 b. The ballot proposition shall specify the type and rate of

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1 tax and, in the case of a vehicle tax, the classes that will be
 2 exempt and, in the case of a local sales and services tax, the

3 date it will be imposed which date shall not be earlier than
 4 ninety days following the election. The ballot proposition
 5 shall also specify the approximate amount of local option tax
 6 revenues that will be used for property tax relief, subject to
 7 the requirement of section 423B.7, subsection 7, paragraph "b",
 8 and shall contain a statement as to the specific purpose or
 9 purposes for which the revenues shall otherwise be expended.
 10 If the county board of supervisors or governing body of the
 11 city, as applicable, decides under subsection 6 to specify a
 12 date on which the local option sales and services tax shall
 13 automatically be repealed, the date of the repeal shall also be
 14 specified on the ballot.

15 c. The rate of the vehicle tax shall be in increments of one
 16 dollar per vehicle as set by the petition seeking to impose the
 17 tax.

18 d. The rate of a local sales and services tax shall ~~not~~ be
 19 ~~more than one percent as set by the governing body.~~

20 e. The state commissioner of elections shall establish by
 21 rule the form for the ballot proposition which form shall be
 22 uniform throughout the state.

23 Sec. 238. Section 423B.1, subsection 6, paragraph a,
 24 subparagraph (1), Code 2018, is amended by striking the
 25 subparagraph.

26 Sec. 239. Section 423B.1, subsection 6, paragraph a,
 27 subparagraphs (2) and (3), Code 2018, are amended to read as
 28 follows:

29 (2)(a) ~~The A~~ local option tax may be repealed or the
 30 ~~rate of the local vehicle tax~~ increased or decreased or the
 31 ~~use thereof of a local option tax~~ changed after an election at
 32 which a majority of those voting on the question of repeal or
 33 rate or use change ~~favored~~ favours the repeal or rate or use
 34 change.

35 (b) The date on which the repeal, rate, or use change is

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1 to take effect shall not be earlier than ninety days following
 2 the election. The election at which the question of repeal
 3 or rate or use change is offered shall be called and held in
 4 the same manner and under the same conditions as provided in
 5 subsections 4 and 5 for the election on the imposition of the
 6 local option tax. However, in the case of a local sales and
 7 services tax where the tax has not been imposed countywide, the
 8 question of repeal or imposition ~~or rate~~ or use change shall
 9 be voted on only by the registered voters of the areas of the
 10 county where the tax has been imposed or has not been imposed,
 11 as appropriate.

12 (c) ~~However, the~~ The governing body of the ~~incorporated~~
 13 ~~area city~~ or unincorporated area where the local sales and
 14 services tax is imposed may, upon its own motion, request the
 15 county commissioner of elections to hold an election in the
 16 ~~incorporated city, or portion thereof located in the county,~~

17 or unincorporated area, as appropriate, on the question of the
18 change in use of local sales and services tax revenues. The
19 election may be held at any time but not sooner than sixty days
20 following publication of the ballot proposition. If a majority
21 of those voting in the ~~incorporated city, or portion thereof~~
22 located in the county, or unincorporated area on the change in
23 use favors the change, the governing body of that area shall
24 change the use to which the revenues shall be used. The ballot
25 proposition shall list the present use of the revenues, the
26 proposed use, and the date after which revenues received will
27 be used for the new use.

28 (3) When submitting the question of the imposition of a
29 local sales and services tax, the ~~county~~ board of supervisors
30 or if the election is initiated under subsection 4, paragraph
31 “a”, subparagraph (3), or subsection 4, paragraph “b”,
32 subparagraph (2), the governing board of a city, may direct
33 that the question contain a provision for the repeal, without
34 election, of the local sales and services tax on a specific
35 date, which date shall be as provided in section 423B.6,

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1 subsection 1.

2 Sec. 240. Section 423B.1, subsection 7, paragraph b, Code
3 2018, is amended to read as follows:

4 b. Costs of local option tax elections shall be apportioned
5 among jurisdictions within the county voting on the question
6 at the same election on a pro rata basis in proportion to the
7 number of registered voters in each taxing jurisdiction voting
8 on the question and the total number of registered voters in
9 all of the taxing jurisdictions voting on the question.

10 Sec. 241. Section 423B.1, subsection 8, Code 2018, is
11 amended by striking the subsection.

12 Sec. 242. Section 423B.1, subsections 9 and 10, Code 2018,
13 are amended to read as follows:

14 9.a. In a county that has imposed a local option sales and
15 services tax, the board of supervisors shall, notwithstanding
16 any contrary provision of this chapter, repeal the local
17 option sales and services tax in the unincorporated areas or
18 in an incorporated city area in which the tax has been imposed
19 upon adoption of ~~its~~ the board’s own motion for repeal in the
20 unincorporated areas or upon receipt of a motion adopted by
21 the governing body of that incorporated city area requesting
22 repeal. The board of supervisors shall repeal the local
23 option sales and services tax effective on the ~~later of the~~
24 ~~date of the adoption of the repeal motion or the earliest date~~
25 specified in section 423B.6, subsection 1, following adoption
26 of the motion. For purposes of this ~~subsection~~ paragraph,
27 incorporated city area includes an incorporated city which is
28 contiguous to another incorporated city.

29 b. If imposition of the local option sales and services tax
30 is initiated under subsection 4, paragraph “a”, subparagraph

31 (3), or subsection 4, paragraph "b", subparagraph (2),
 32 notwithstanding any contrary provision of this chapter, the
 33 board of supervisors may repeal the local sales and services
 34 tax in a city, or portion thereof located in the county, upon
 35 receipt of a motion adopted by the governing board of the city

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1 requesting the repeal. The board of supervisors shall repeal
 2 the local sales and services tax effective on the earliest date
 3 specified in section 423B.6, subsection 1, following adoption
 4 of the motion.
 5 10. Notwithstanding subsection 9 or any other contrary
 6 provision of this chapter, a local option sales and services
 7 tax shall not be repealed or reduced in rate if obligations are
 8 outstanding which are payable as provided in section 423B.9,
 9 unless funds sufficient to pay the principal, interest, and
 10 premium, if any, on the outstanding obligations at and prior
 11 to maturity have been properly set aside and pledged for that
 12 purpose.

13 Sec. 243. Section 423B.5, subsections 1 and 4, Code 2018,
 14 are amended to read as follows:

15 1. A local sales and services tax ~~at the rate of not more~~
 16 ~~than one percent~~ may be imposed by a county on the sales price
 17 taxed by the state under chapter 423, subchapter II. A local
 18 sales and services tax shall be imposed on the same basis as
 19 the state sales and services tax or in the case of the use of
 20 natural gas, natural gas service, electricity, or electric
 21 service on the same basis as the state use tax and shall not
 22 be imposed on the sale of any property or on any service not
 23 taxed by the state, except the tax shall not be imposed on
 24 the sales price from the sale of motor fuel or special fuel
 25 as defined in chapter 452A which is consumed for highway use
 26 or in watercraft or aircraft if the fuel tax is paid on the
 27 transaction and a refund has not or will not be allowed,
 28 on the sales price from the sale of equipment by the state
 29 department of transportation, or on the sales price from the
 30 sale or use of natural gas, natural gas service, electricity,
 31 or electric service in a city or county where the sales price
 32 from the sale of natural gas or electric energy is subject to
 33 a franchise fee or user fee during the period the franchise
 34 or user fee is imposed. A local sales and services tax is
 35 applicable to transactions within those ~~incorporated cities~~

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1 and unincorporated areas of the county where it is imposed and
 2 shall be collected by all persons required to collect state
 3 sales taxes. ~~All cities contiguous to each other shall be~~
 4 ~~treated as part of one incorporated area and the tax would be~~
 5 ~~imposed in each of those contiguous cities only if the majority~~
 6 ~~of those voting in the total area covered by the contiguous~~

7 cities favors its imposition. In the case of a local sales and
 8 services tax submitted to the registered voters of two or more
 9 contiguous counties as provided in section 423B.1, subsection
 10 4, paragraph “c”, all cities contiguous to each other shall be
 11 treated as part of one incorporated area, even if the corporate
 12 boundaries of one or more of the cities include areas of more
 13 than one county, and the tax shall be imposed in each of those
 14 contiguous cities only if a majority of those voting on the
 15 tax in the total area covered by the contiguous cities favored
 16 its imposition. However, a local sales and services tax is
 17 not applicable to transactions sourced under chapter 423 to a
 18 place of business, as defined in section 423.1, of a retailer
 19 if such place of business is located in part within a city or
 20 unincorporated area of the county where the tax is not imposed.

21 4. If a local sales and services tax is imposed by a county
 22 pursuant to this chapter, a local excise tax at the same rate
 23 shall be imposed by the county on the purchase price of natural
 24 gas, natural gas service, electricity, or electric service
 25 subject to tax under chapter 423, subchapter III, and not
 26 exempted from tax by any provision of chapter 423, subchapter
 27 III. The local excise tax is applicable only to the use of
 28 natural gas, natural gas service, electricity, or electric
 29 service within those ~~incorporated cities~~ and unincorporated
 30 areas of the county where it is imposed and, except as
 31 otherwise provided in this chapter, shall be collected and
 32 administered in the same manner as the local sales and services
 33 tax. For purposes of this chapter, “*local sales and services*
 34 *tax*” shall also include the local excise tax.

35 Sec. 244. Section 423B.6, subsection 1, paragraph c, Code

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1 2018, is amended to read as follows:

2 c. The imposition of ~~or a rate change for~~ a local sales and
 3 services tax shall not be applied to purchases from a printed
 4 catalog wherein a purchaser computes the local tax based on
 5 rates published in the catalog unless a minimum of one hundred
 6 twenty days’ notice of the imposition ~~or rate change~~ has been
 7 given to the seller from the catalog and the first day of a
 8 calendar quarter has occurred on or after the one hundred
 9 twentieth day.

10 Sec. 245. Section 423B.7, subsection 1, Code 2018, is
 11 amended to read as follows:

12 1.a. Except as provided in ~~paragraph~~ paragraphs “b” and
 13 “c”, the director shall credit the local sales and services
 14 tax receipts and interest and penalties from a county-imposed
 15 tax to the county’s account in the local sales and services
 16 tax fund ~~and from a city-imposed tax under section 423B.1,~~
 17 subsection 2, to the city’s account in the local sales
 18 and services tax fund for the county in which the tax was
 19 collected. If the director is unable to determine from which
 20 county any of the receipts were collected, those receipts shall

21 be allocated among the possible counties based on allocation
 22 rules adopted by the director.

23 ~~b. Notwithstanding paragraph "a", the~~ The director shall
 24 credit the designated amount of the increase in local sales
 25 and services tax receipts, as computed in section 423B.10,
 26 collected in an urban renewal area of an eligible city that has
 27 adopted an ordinance pursuant to section 423B.10, subsection
 28 2, into a special city account in the local sales and services
 29 tax fund.

30 c. The director shall credit the local sales and services
 31 tax receipts and interest and penalties from a city-imposed tax
 32 under section 423B.1, subsection 2, to the city's account in
 33 the local sales and services tax fund.

34 Sec. 246. Section 423B.7, subsection 7, Code 2018, is
 35 amended to read as follows:

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1 ~~7.a. Local~~ Subject to the requirement of paragraph "b",
 2 local sales and services tax moneys received by a city or
 3 county may be expended for any lawful purpose of the city or
 4 county.

5 b. Each city located in whole or in part in a qualified
 6 county and each qualified county for the unincorporated area
 7 for which the imposition of the local sales and services tax
 8 in the city or portion thereof or the unincorporated area,
 9 as applicable, was approved at election on or after January
 10 1, 2019, shall use not less than fifty percent of the moneys
 11 received from the qualified county's account in the local sales
 12 and services tax fund for property tax relief.

13 Sec. 247. Section 423B.8, subsection 1, paragraph a, Code
 14 2018, is amended to read as follows:

15 a. The goods, wares, or merchandise are incorporated into
 16 an improvement to real estate in fulfillment of a written
 17 contract fully executed prior to the date of the imposition ~~or~~
 18 ~~increase in rate~~ of a local sales and services tax under this
 19 chapter. The refund shall not apply to equipment transferred
 20 in fulfillment of a mixed construction contract.

21 Sec. 248. IMPLEMENTATION. This division of this Act shall
 22 not affect the imposition of local option taxes in effect on
 23 the effective date of this division of this Act and such taxes
 24 shall continue to be imposed until their repeal pursuant to
 25 chapter 423B. The law regarding repeal in effect at the time
 26 of the repeal governs the repeal of the local option taxes.

27 Sec. 249. EFFECTIVE DATE. This division of this Act takes
 28 effect January 1, 2019.

29 DIVISION XIII

30 HOTEL AND MOTEL EXCISE TAX AND AUTOMOBILE RENTAL EXCISE TAX
 31 CHANGES

32 Sec. 250. Section 423A.2, subsection 1, Code 2018, is
 33 amended to read as follows:

34 1. For the purposes of this chapter, unless the context

35 otherwise requires:

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- 1 a. "Affiliate" means the same as defined in section 423.1.
 2 ~~a.~~ b. "Department" means the department of revenue.
 3 b. "Lessor" means any person engaged in the business of
 4 renting lodging to users.
 5 c. "Facilitate" or "facilitation" includes brokering,
 6 coordinating, or in any way arranging for the rental of lodging
 7 by users.
 8 d. "Facilitation fee" means any consideration, by whatever
 9 name called, that a lodging facilitator or lodging platform
 10 charges to a user for facilitating the user's rental of
 11 lodging. "Facilitation fee" does not include any commission
 12 a lodging provider pays to a lodging facilitator or a lodging
 13 platform for facilitating the rental of lodging.
 14 ~~e.~~ e. "Lodging" means rooms, apartments, or sleeping
 15 quarters in a hotel, motel, inn, public lodging house, rooming
 16 house, cabin, apartment, residential property, or manufactured
 17 or mobile home which is tangible personal property, or in a
 18 tourist court, or in any place where sleeping accommodations
 19 are furnished to transient guests for rent, whether with or
 20 without meals. Lodging does not include conference, meeting,
 21 or banquet rooms that are not used for or offered as part of
 22 sleeping accommodations.
 23 f. "Lodging facilitator" means a person or any affiliate of
 24 a person, other than a lodging provider or a lodging platform,
 25 that facilitates the renting of lodging and collects or
 26 processes the sales price charged to the user.
 27 g. "Lodging platform" means a person or any affiliate of
 28 a person, other than a lodging provider, that facilitates the
 29 renting of lodging by doing all of the following:
 30 (1) The person or an affiliate of the person owns, operates,
 31 or controls a lodging marketplace that allows a lodging
 32 provider who is not an affiliate of the person to offer or
 33 list lodging for rent on the marketplace. For purposes of
 34 this subparagraph, it is immaterial whether or not the lodging
 35 provider has a tax permit under this chapter or in what manner

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- 1 the lodging is classified for property tax or zoning purposes.
 2 (2) The person or an affiliate of the person collects or
 3 processes the sales price charged to the user.
 4 h. "Lodging provider" means any of the following:
 5 (1) A person or any affiliate of a person that owns,
 6 operates, or manages lodging and makes the lodging available
 7 for rent through the person or any affiliate, or through a
 8 lodging platform or a lodging facilitator.
 9 (2) A person or any affiliate of a person who possesses or
 10 acquires a right to or interest in any lodging with an intent

11 to rent the lodging to another person through the person or
 12 any affiliate, or through a lodging platform or a lodging
 13 facilitator.
 14 ~~d. i.~~ "Person" means the same as the term is defined in
 15 section 423.1.
 16 ~~e. j.~~ "Renting", "rental", or "rent" means a transfer
 17 of use, possession, or control of lodging for a fixed or
 18 indeterminate term for consideration ~~and includes any kind of~~
 19 ~~direct or indirect charge for such lodging or its use.~~
 20 ~~f. k.~~ "Sales price" means the all consideration charged
 21 for the renting and facilitation of renting of lodging and
 22 means the same as the term is defined in section 423.1 before
 23 taxes, including but not limited to facilitation fees, cleaning
 24 fees, linen fees, towel fees, nonrefundable deposits, and any
 25 other direct or indirect charge made or consideration provided
 26 in connection with the renting and facilitation of renting of
 27 lodging.
 28 ~~g. l.~~ "User" means a person to whom lodging is rented.
 29 Sec. 251. Section 423A.3, Code 2018, is amended to read as
 30 follows:
 31 **423A.3 State-imposed hotel and motel tax.**
 32 A tax of five percent is imposed upon the sales price for
 33 the renting of any lodging if the ~~renting occurs~~ lodging is
 34 located in this state. The tax shall be collected by any
 35 ~~lessor of lodging from the user of that lodging and remitted~~

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1 ~~as provided in section 423A.5A. The lessor shall add the tax~~
 2 ~~to the sales price of the lodging, and the state imposed tax,~~
 3 ~~when collected, shall be stated as a distinct item, separate~~
 4 ~~and apart from the sales price of the lodging and the local tax~~
 5 ~~imposed, if any, under section 423A.4.~~
 6 Sec. 252. Section 423A.4, Code 2018, is amended by adding
 7 the following new subsection:
 8 **NEW SUBSECTION. 5.** The locally imposed hotel and motel tax
 9 shall be collected and remitted as provided in section 423A.5A.
 10 Sec. 253. Section 423A.5, Code 2018, is amended to read as
 11 follows:
 12 **423A.5 Exemptions.**
 13 1. There are exempted from the provisions of this chapter
 14 and from the computation of any amount of tax imposed by
 15 ~~section 423A.3~~ this chapter all of the following:
 16 ~~a. 1.~~ 1. The sales price from the renting of lodging which is
 17 rented by the same person for a period of more than thirty-one
 18 consecutive days.
 19 ~~b. 2.~~ 2. The sales price from the renting of sleeping rooms
 20 in dormitories ~~and in memorial unions~~ at all universities and
 21 colleges located in the state of Iowa.
 22 ~~2.~~ 2. There is exempted from the provisions of this chapter and
 23 ~~from the computation of any amount of tax imposed by section~~
 24 ~~423A.4~~ all of the following:

25 ~~a. The sales price from the renting of lodging or rooms~~
 26 ~~exempt under subsection 1.~~
 27 ~~b. 3.~~ The sales price of lodging furnished to the guests of
 28 a religious institution if the property is exempt under section
 29 427.1, subsection 8, and the purpose of renting is to provide a
 30 place for a religious retreat or function and not a place for
 31 transient guests generally.
 32 Sec. 254.NEW SECTION. 423A.5A Collection and remittance
 33 of hotel and motel tax.
 34 1. For purposes of this section:
 35 a. *“Discount room charge”* means the amount a lodging

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1 provider charges a lodging facilitator for lodging, excluding
 2 any applicable tax.
 3 b. *“Travel package”* means lodging bundled with one or more
 4 separate components such as air transportation, car rental, or
 5 similar items and charged for a single retail price.
 6 2. This section shall govern the collection and remittance
 7 of all taxes imposed under this chapter.
 8 3. Unless otherwise provided in this section, the
 9 state-imposed tax under section 423A.3 and any locally
 10 imposed tax under section 423A.4 shall be collected by the
 11 lodging provider from the user of that lodging and shall be
 12 remitted to the department. The lodging provider shall add
 13 the state-imposed tax to the sales price of the lodging and
 14 the tax, when collected, shall be stated as a distinct item,
 15 separate and apart from the sales price of the lodging and from
 16 the locally imposed tax, if any. The lodging provider shall
 17 add the locally imposed tax, if any, to the sales price of
 18 the lodging and the tax, when collected, shall be stated as a
 19 distinct item, separate and apart from the sales price of the
 20 lodging and from the state-imposed tax.
 21 4. If a transaction for the rental of lodging involves a
 22 lodging facilitator, all of the following shall occur in the
 23 order prescribed:
 24 a. The lodging facilitator shall collect the taxes imposed
 25 under this chapter on any sales price that the user pays to the
 26 lodging facilitator in the same manner as a lodging provider
 27 under subsection 3.
 28 b.(1) Unless otherwise required by rule or order of the
 29 department, the lodging facilitator shall remit to the lodging
 30 provider that portion of the taxes collected on the sales price
 31 that represents the discount room charge.
 32 (2) No assessment shall be made against a lodging
 33 facilitator for tax due on a discount room charge if the
 34 lodging facilitator collected the tax and remitted it to a
 35 lodging provider that has a valid tax permit required under

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1 this chapter. This subparagraph shall not apply if the lodging
 2 facilitator and lodging provider are affiliates, or if the
 3 department requires the lodging facilitator to remit taxes
 4 collected on that portion of the sales price that represents
 5 the discount room charge directly to the department.

6 c. The lodging facilitator shall remit any remaining tax it
 7 collected to the department.

8 d.(1) The lodging provider shall collect and remit to the
 9 department any taxes the lodging facilitator remitted to the
 10 lodging provider, and shall collect and remit to the department
 11 any taxes due on any amount of sales price the user paid to the
 12 lodging provider.

13 (2) No assessment shall be made against a lodging provider
 14 for any tax due on a discount room charge that was not remitted
 15 to the lodging provider by a lodging facilitator. This
 16 subparagraph shall not apply if the lodging provider and
 17 lodging facilitator are affiliates.

18 e. Notwithstanding any other provision of this section
 19 to the contrary, if a lodging facilitator and its affiliates
 20 facilitate total rentals under this chapter and chapter
 21 423C that are equal to or less than an aggregate amount of
 22 sales price and rental price of ten thousand dollars for an
 23 immediately preceding calendar year or a current calendar year,
 24 or in ten or fewer separate transactions for an immediately
 25 preceding calendar year or a current calendar year, the lodging
 26 facilitator shall not be required to collect tax on the amount
 27 of sales price that represents the lodging facilitator's
 28 facilitation fee.

29 5. If a transaction for the rental of lodging involves a
 30 lodging platform, the lodging platform shall collect and remit
 31 the taxes imposed under this chapter in the same manner as a
 32 lodging provider under subsection 3.

33 6. If a transaction for the rental of lodging is part of a
 34 travel package, the portion of the total price that represents
 35 the sales price for the rental of lodging may be determined by

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1 the person required under this section to collect the taxes
 2 from the person's books and records that are kept in the
 3 regular course of business including but not limited to books
 4 and records kept for non-tax purposes.

5 Sec. 255. Section 423A.6, subsection 4, Code 2018, is
 6 amended to read as follows:

7 4. Section 422.25, subsection 4, sections 422.30, 422.67,
 8 and 422.68, section 422.69, subsection 1, sections 422.70,
 9 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
 10 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
 11 423.35, 423.37 through 423.42, and 423.47, consistent with the
 12 provisions of this chapter, apply with respect to the taxes

13 authorized under this chapter, in the same manner and with the
 14 same effect as if the state and local hotel and motel taxes
 15 were retail sales taxes within the meaning of those statutes.
 16 Notwithstanding this subsection, the director shall provide
 17 for quarterly filing of returns and for other than quarterly
 18 filing of returns both as prescribed in section 423.31. The
 19 director may require all persons who are engaged in the
 20 business of deriving any sales price subject to tax under this
 21 chapter to register with the department. All taxes collected
 22 under this chapter by a retailer, lodging provider, lodging
 23 facilitator, lodging platform, or any individual other person
 24 are deemed to be held in trust for the state of Iowa and the
 25 local jurisdictions imposing the taxes.
 26 Sec. 256. Section 423C.2, Code 2018, is amended to read as
 27 follows:

28 **423C.2 Definitions.**

29 For purposes of this chapter, unless the context otherwise
 30 requires:

31 1. "Affiliate" means the same as defined in section 423.1.
 32 4. 2. "Automobile" means a motor vehicle subject to
 33 registration in any state designed primarily for carrying
 34 nine passengers or less, excluding motorcycles and motorized
 35 bicycles.

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1 3. "Automobile provider" means any of the following:
 2 a. A person or any affiliate of a person that owns or
 3 controls an automobile and makes the automobile available for
 4 rent through the person or any affiliate, or through a rental
 5 platform or rental facilitator.
 6 b. A person or any affiliate of a person who possesses or
 7 acquires a right or interest in any automobile with an intent
 8 to rent the automobile to another person through the person
 9 or any affiliate, or through a rental platform or a rental
 10 facilitator.
 11 2. 4. "Department" means the department of revenue.
 12 3. "Lessor" means a person engaged in the business of
 13 renting automobiles to users. "Lessor" includes a motor vehicle
 14 dealer licensed pursuant to chapter 322 who rents automobiles
 15 to users. For this purpose, the objective of making a profit
 16 is not necessary to make the renting activity a business.
 17 5. "Facilitate" or "facilitation" includes brokering,
 18 coordinating, or in any way arranging for the rental of
 19 automobiles by users.
 20 6. "Facilitation fee" means any consideration, by whatever
 21 name called, that a rental facilitator or a rental platform
 22 charges to a user for facilitating the user's rental of an
 23 automobile. "Facilitation fee" does not include any commission
 24 an automobile provider pays to a rental facilitator or a rental
 25 platform for facilitating the rental of an automobile.
 26 4. 7. "Person" means person as defined in section 423.1.

27 5. 8. “Rental”, “renting”, or “rent” means a transfer
 28 of the use, control, or possession or right to use, control,
 29 or possession of an automobile to a user for a valuable
 30 consideration for a period of sixty days or less.
 31 9. “Rental facilitator” means a person or any affiliate of a
 32 person, other than an automobile provider or a rental platform,
 33 that facilitates the renting of an automobile and collects or
 34 processes the rental price charged to the user.
 35 10. “Rental platform” means a person or any affiliate of a

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1 person, other than an automobile provider, that facilitates the
 2 renting of an automobile by doing all of the following:
 3 a. The person or an affiliate of the person owns, operates,
 4 or controls an automobile rental marketplace that allows an
 5 automobile provider who is not an affiliate of the person to
 6 offer or list an automobile for rent on the marketplace. For
 7 purposes of this paragraph, it is immaterial whether or not
 8 the automobile provider has a tax permit under this chapter or
 9 chapter 423 or whether the automobile is owned by a natural
 10 person or by a business entity.
 11 b. The person or an affiliate of the person collects or
 12 processes the rental price charged to the user.
 13 6. 11. “Rental price” means the all consideration charged
 14 for the renting and facilitation of renting of an automobile
 15 valued in money, and means the same as “sales price” as
 16 defined in section 423.1 before taxes, including but not
 17 limited to facilitation fees, reservation fees, services fees,
 18 nonrefundable deposits, and any other direct or indirect charge
 19 made or consideration provided in connection with the renting
 20 or facilitation of renting of an automobile.
 21 7. 12. “User” means a person to whom the possession or
 22 the right to possession of an automobile is transferred for
 23 a period of sixty days or less for a valuable consideration
 24 which is paid by the user or by another person an automobile is
 25 rented.
 26 Sec. 257. Section 423C.3, Code 2018, is amended to read as
 27 follows:
 28 **423C.3 Tax on rental of automobiles — collection and**
 29 **remittance of tax.**
 30 1. For purposes of this section:
 31 a. “Discount rental charge” means the amount an automobile
 32 provider charges to a rental facilitator for the rental of an
 33 automobile, excluding any applicable tax.
 34 b. “Travel package” means an automobile rental bundled
 35 with one or more separate components such as lodging, air

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1 transportation, or similar items and charged for a single
 2 retail price.

3 1. 2. A tax of five percent is imposed upon the rental
4 price of an automobile if the rental transaction is subject to
5 the sales and services tax under chapter 423, subchapter II, or
6 the use tax under chapter 423, subchapter III. The tax shall
7 not be imposed on any rental transaction not taxable under the
8 state sales and services tax, as provided in section 423.3, or
9 the state use tax, as provided in section 423.6, on automobile
10 rental receipts.

11 2. 3. ~~The lessor~~ This subsection shall govern the
12 collection and remittance of the tax imposed under subsection
13 2.

14 a. Unless otherwise provided in this subsection, the
15 automobile provider shall collect the tax by adding the tax to
16 the rental price of the automobile.

17 3. ~~The and the~~ tax, when collected, shall be stated as a
18 distinct item separate and apart from the rental price of the
19 automobile and the sales and services tax imposed under chapter
20 423, subchapter II, or the use tax imposed under chapter 423,
21 subchapter III.

22 b. If a transaction for the rental of an automobile involves
23 a rental facilitator, all of the following shall occur in the
24 order prescribed:

25 (1) The rental facilitator shall collect the tax on any
26 rental price that the user pays to the rental facilitator in
27 the same manner as an automobile provider under paragraph "a".

28 (2)(a) Unless otherwise required by rule or order of
29 the department, the rental facilitator shall remit to the
30 automobile provider that portion of the tax collected on the
31 rental price that represents the discount rental charge.

32 (b) No assessment shall be made against a rental facilitator
33 for tax due on a discount rental charge if the rental
34 facilitator collected the tax and remitted it to an automobile
35 provider that has a valid tax permit required under this

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1 chapter or under chapter 423. This subparagraph division shall
2 not apply if the rental facilitator and automobile provider
3 are affiliates, or if the department requires the rental
4 facilitator to remit taxes collected on that portion of the
5 sales price that represents the discount rental charge directly
6 to the department.

7 (3) The rental facilitator shall remit any remaining tax it
8 collected to the department.

9 (4)(a) The automobile provider shall collect and remit
10 to the department any taxes the rental facilitator remitted to
11 the automobile provider, and shall collect and remit to the
12 department any taxes due on any amount of rental price the user
13 paid to the automobile provider.

14 (b) No assessment shall be made against an automobile
15 provider for any tax due on a discount rental charge that
16 was not remitted to the automobile provider by a rental

17 facilitator. This subparagraph division shall not apply if the
 18 automobile provider and the rental facilitator are affiliates.
 19 (5) Notwithstanding any other provision of this paragraph
 20 to the contrary, if a rental facilitator and its affiliates
 21 facilitate total rentals under this chapter and chapter
 22 423A that are equal to or less than an aggregate amount of
 23 rental price and sales price of ten thousand dollars for an
 24 immediately preceding calendar year or a current calendar year,
 25 or in ten or fewer separate transactions for an immediately
 26 preceding calendar year or a current calendar year, the
 27 rental facilitator shall not be required to collect tax on the
 28 amount of sales price that represents the rental facilitator's
 29 facilitation fee.
 30 c.(1) If a transaction for the rental of an automobile
 31 involves a rental platform, other than a rental platform
 32 described in subparagraph (2), the rental platform shall
 33 collect and remit the tax imposed under this chapter in the
 34 same manner as an automobile provider under paragraph "a".
 35 (2) A rental platform is not required to collect and remit

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1 the tax imposed under this chapter in the same manner as an
 2 automobile provider under paragraph "a" if the rental platform
 3 meets all of the following requirements:
 4 (a) The only sales the rental platform and its affiliates
 5 facilitate that are subject to tax under chapter 423 are sales
 6 of a transportation service under section 423.2, subsection 6,
 7 paragraph "b)", or section 423.5, subsection 1, paragraph "e",
 8 consisting of the rental of vehicles subject to registration
 9 which are registered for a gross weight of thirteen tons or
 10 less for a period of sixty days or less.
 11 (b) The rental platform operates a peer-to-peer automobile
 12 sharing marketplace.
 13 (3) For any rental transaction for which the rental platform
 14 is required to or elects to collect and remit the tax under
 15 this chapter, the rental platform shall also be liable for the
 16 collection and remittance of any sales or use tax due on that
 17 transaction under section 423.2, subsection 6, paragraph "b)",
 18 or section 423.5, subsection 1, paragraph "e", notwithstanding
 19 any other provision to the contrary in chapter 423.
 20 (4) For any rental transaction for which the rental platform
 21 is not required to collect and remit the tax under this chapter
 22 as provided under subparagraph (2), the automobile provider
 23 shall be solely liable for any amount of uncollected or
 24 unremitted tax under this chapter.
 25 Sec. 258.LEGISLATIVE INTENT. It is the intent of the
 26 general assembly that the provision of this division of this
 27 Act amending the definition of "lodging" in section 423A.2,
 28 subsection 1, is a conforming amendment consistent with
 29 current state law, and that the amendment does not change the
 30 application of current law but instead reflects current law

31 both before and after the enactment of this division of this
 32 Act.
 33 Sec. 259.EFFECTIVE DATE. Except as otherwise provided
 34 in this division of this Act, this division of this Act takes
 35 effect January 1, 2019.

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1 Sec. 260.EFFECTIVE DATE. The following, being deemed of
 2 immediate importance, take effect upon enactment:
 3 1. The provision amending the definition of "lodging" in the
 4 section of this division of this Act amending section 423A.2,
 5 subsection 1.
 6 2. The section of this division of this Act entitled
 7 "legislative intent" which describes the intent of the general
 8 assembly with respect to the amendment in this division of
 9 this Act to the definition of "lodging" in section 423A.2,
 10 subsection 1.>
 11 2. Title page, by striking lines 1 through 8 and inserting
 12 <An Act relating to state and local revenue and finance by
 13 modifying the individual and corporate income taxes, the
 14 franchise tax, tax credits, the sales and use taxes and
 15 local option sales tax, the hotel and motel excise tax, the
 16 automobile rental excise tax, the Iowa educational savings plan
 17 trust, providing for other properly related matters, making
 18 penalties applicable, and including immediate and contingent
 19 effective date and retroactive and other applicability
 20 provisions.>

VANDER LINDEN of Mahaska

H-8477

1 Amend the amendment, H-8476, to House File 2489 as follows:
 2 1. By striking page 1, line 1, through page 149, line 20,
 3 and inserting:
 4 <Amend House File 2489 as follows:
 5 1. By striking everything after the enacting clause and
 6 inserting:
 7 <DIVISION I
 8 INTEREST ACCRUAL ON CERTAIN TAX REFUNDS
 9 Section 1. Section 15.335, subsection 8, Code 2018, is
 10 amended to read as follows:
 11 8. Any credit in excess of the tax liability for the
 12 taxable year shall be refunded with interest ~~computed under~~
 13 ~~section 422.25 in accordance with section 421.60, subsection~~
 14 ~~2, paragraph "e."~~ In lieu of claiming a refund, a taxpayer may
 15 elect to have the overpayment shown on its final, completed
 16 return credited to the tax liability for the following year.
 17 Sec. 2.NEW SECTION. 421.6 Definition of return.
 18 For purposes of this title, unless the context otherwise
 19 requires, "return" means any tax or information return,

20 amended return, declaration of estimated tax, or claim for
21 refund that is required by, provided for, or permitted under,
22 the provisions of this title and which is filed with the
23 department by, on behalf of, or with respect to any person.
24 "Return" includes any amendment or supplement to these items,
25 including supporting schedules, attachments, or lists which are
26 supplemental to or part of the filed return.
27 Sec. 3. Section 421.60, subsection 2, paragraph e, Code
28 2018, is amended to read as follows:
29 e. ~~Unless otherwise provided by law, all All~~ Iowa taxes
30 which are administered by the department and which result in
31 a refund shall accrue interest at the rate in effect under
32 section 421.7 from the first day of the second calendar month
33 following the date of payment or the date the return upon
34 which the refund is claimed was due to be filed, including any
35 extensions, or was filed, whichever is the latest.

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1 Sec. 4. Section 422.10, subsection 4, Code 2018, is amended
2 to read as follows:
3 4. Any credit in excess of the tax liability imposed by
4 section 422.5 less the amounts of nonrefundable credits allowed
5 under this division for the taxable year shall be refunded
6 with interest ~~computed under section 422.25 in accordance~~
7 with section 421.60, subsection 2, paragraph "e". In lieu of
8 claiming a refund, a taxpayer may elect to have the overpayment
9 shown on the taxpayer's final, completed return credited to the
10 tax liability for the following taxable year.
11 Sec. 5. Section 422.16, subsection 9, Code 2018, is amended
12 to read as follows:
13 9. The amount of any overpayment of the individual income
14 tax liability of the employee taxpayer, nonresident, or other
15 person which may result from the withholding and payment of
16 withheld tax by the employer or withholding agent to the
17 department under subsections 1 and 12, as compared to the
18 individual income tax liability of the employee taxpayer,
19 nonresident, or other person properly and correctly determined
20 under the provisions of section 422.4, to and including section
21 422.25, may be credited against any income tax or installment
22 thereof then due the state of Iowa and any balance of one
23 dollar or more shall be refunded to the employee taxpayer,
24 nonresident, or other person with interest ~~at the rate in~~
25 ~~effect under section 421.7 for each month or fraction of a~~
26 ~~month, the interest to begin to accrue on the first day of~~
27 ~~the second calendar month following the date the return was~~
28 ~~due to be filed or was filed, whichever is the later date~~
29 in accordance with section 421.60, subsection 2, paragraph
30 "e". Amounts less than one dollar shall be refunded to the
31 taxpayer, nonresident, or other person only upon written
32 application, in accordance with section 422.73, and only if
33 the application is filed within twelve months after the due

34 date of the return. Refunds in the amount of one dollar
35 or more provided for by this subsection shall be paid by

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1 the treasurer of state by warrants drawn by the director of
2 the department of administrative services, or an authorized
3 employee of the department, and the taxpayer's return of
4 income shall constitute a claim for refund for this purpose,
5 except in respect to amounts of less than one dollar. There
6 is appropriated, out of any funds in the state treasury not
7 otherwise appropriated, a sum sufficient to carry out the
8 provisions of this subsection.
9 Sec. 6. Section 422.25, subsection 3, Code 2018, is amended
10 to read as follows:

11 3.a. If the amount of the tax as determined by the
12 department is less than the amount paid, the excess shall be
13 refunded with interest, ~~the interest to begin to accrue on the~~
14 ~~first day of the second calendar month following the date of~~
15 ~~payment or the date the return was due to be filed, or the~~
16 ~~extended due date by which the return was due to be filed if~~
17 ~~ninety percent of the tax was paid by the original due date,~~
18 ~~or was filed, whichever is the latest, at the rate in effect~~
19 ~~under section 421.7 counting each fraction of a month as an~~
20 ~~entire month under the rules prescribed by the director. If~~
21 ~~an overpayment of tax results from a net operating loss or~~
22 ~~net capital loss which is carried back to a prior year, the~~
23 ~~overpayment, for purposes of computing interest on refunds,~~
24 ~~shall be considered as having been made on the date a claim~~
25 ~~for refund or amended return carrying back the net operating~~
26 ~~loss or net capital loss is filed with the department or on the~~
27 ~~first day of the second calendar month following the date of~~
28 ~~the actual payment of the tax, whichever is later. However, in~~
29 ~~accordance with section 421.60, subsection 2, paragraph "e".~~
30 b. Notwithstanding section 421.60, subsection 2, paragraph
31 "e", and paragraph "a" of this subsection, when the net
32 operating loss or net capital loss carryback to a prior year
33 eliminates or reduces an underpayment of tax due for an earlier
34 year, the full amount of the underpayment of tax shall bear
35 interest at the rate in effect under section 421.7 for each

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1 month counting each fraction of a month as an entire month from
2 the due date of the tax for the earlier year to the last day of
3 the taxable year in which the net operating loss or net capital
4 loss occurred.

5 Sec. 7. Section 422.28, Code 2018, is amended to read as
6 follows:

7 **422.28 Revision of tax.**

8 A taxpayer may appeal to the director for revision of
9 the tax, interest, or penalties assessed at any time within

10 sixty days from the date of the notice of the assessment of
 11 tax, additional tax, interest, or penalties. The director
 12 shall grant a hearing and if, upon the hearing, the director
 13 determines that the tax, interest, or penalties are excessive
 14 or incorrect, the director shall revise them according to
 15 the law and the facts and adjust the computation of the tax,
 16 interest, or penalties accordingly. The director shall notify
 17 the taxpayer by mail of the result of the hearing and shall
 18 refund to the taxpayer the amount, if any, paid in excess of
 19 the tax, interest, or penalties found by the director to be
 20 due, with interest accruing ~~from the first day of the second~~
 21 ~~calendar month following the date of payment by the taxpayer~~
 22 ~~at the rate in effect under section 421.7 for each month~~
 23 ~~or fraction of a month in accordance with section 421.60,~~
 24 subsection 2, paragraph "e".

25 Sec. 8. Section 422.33, subsection 5, paragraph f, Code
 26 2018, is amended to read as follows:

27 *f.* Any credit in excess of the tax liability for the
 28 taxable year shall be refunded with interest ~~computed under~~
 29 ~~section 422.25 in accordance with section 421.60, subsection~~
 30 2, paragraph "e". In lieu of claiming a refund, a taxpayer may
 31 elect to have the overpayment shown on its final, completed
 32 return credited to the tax liability for the following taxable
 33 year.

34 Sec. 9. Section 422.33, subsection 9, paragraph a, Code
 35 2018, is amended to read as follows:

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1 *a.* The taxes imposed under this division shall be reduced by
 2 an assistive device tax credit. A small business purchasing,
 3 renting, or modifying an assistive device or making workplace
 4 modifications for an individual with a disability who is
 5 employed or will be employed by the small business is eligible,
 6 subject to availability of credits, to receive this assistive
 7 device tax credit which is equal to fifty percent of the
 8 first five thousand dollars paid during the tax year for the
 9 purchase, rental, or modification of the assistive device
 10 or for making the workplace modifications. Any credit in
 11 excess of the tax liability shall be refunded with interest
 12 ~~computed under section 422.25 in accordance with section~~
 13 421.60, subsection 2, paragraph "e". In lieu of claiming a
 14 refund, a taxpayer may elect to have the overpayment shown on
 15 the taxpayer's final, completed return credited to the tax
 16 liability for the following tax year. If the small business
 17 elects to take the assistive device tax credit, the small
 18 business shall not deduct for Iowa tax purposes any amount of
 19 the cost of an assistive device or workplace modifications
 20 which is deductible for federal income tax purposes.

21 Sec. 10. Section 422.91, Code 2018, is amended to read as
 22 follows:

23 **422.91 Credit for estimated tax.**

24 1. Any amount of estimated tax paid is a credit against
25 the amount of tax due on a final, completed return, and any
26 overpayment of five dollars or more shall be refunded to the
27 taxpayer with interest, ~~the interest to begin to accrue on~~
28 ~~the first day of the second calendar month following the date~~
29 ~~of payment or the date the return was due to be filed or was~~
30 ~~filed, whichever is the latest, at the rate established under~~
31 ~~section 421.7 in accordance with section 421.60, subsection 2,~~
32 ~~paragraph "e", and the return constitutes a claim for refund for~~
33 ~~this purpose. Amounts less than five dollars shall be refunded~~
34 ~~to the taxpayer only upon written application in accordance~~
35 ~~with section 422.73, and only if the application is filed~~

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1 within twelve months after the due date for the return.

2 2. In lieu of claiming a refund, the taxpayer may elect
3 to have the overpayment shown on its final, completed return
4 for the taxable year credited to the tax liability for the
5 following taxable year.

6 Sec. 11. Section 423.4, subsection 1, paragraph c, Code
7 2018, is amended to read as follows:

8 c. Refunds authorized under this subsection shall accrue
9 interest ~~at the rate in effect under section 421.7 from the~~
10 ~~first day of the second calendar month following the date the~~
11 ~~refund claim is received by the department in accordance with~~
12 ~~section 421.60, subsection 2, paragraph "e".~~

13 Sec. 12. Section 423.4, subsection 6, paragraph c,
14 subparagraph (2), Code 2018, is amended to read as follows:

15 (2) Refunds authorized under this subsection shall accrue
16 interest ~~at the rate in effect under section 421.7 from the~~
17 ~~first day of the second calendar month following the date the~~
18 ~~refund claim is received by the department in accordance with~~
19 ~~section 421.60, subsection 2, paragraph "e".~~

20 Sec. 13. Section 450.94, subsection 3, Code 2018, is amended
21 to read as follows:

22 3. If the amount paid is greater than the correct tax,
23 penalty, and interest due, the department shall refund the
24 excess with interest. ~~Interest shall be computed at the rate~~
25 ~~in effect under section 421.7, under the rules prescribed by~~
26 ~~the director counting each fraction of a month as an entire~~
27 ~~month and the interest shall begin to accrue on the first day~~
28 ~~of the second calendar month following the date of payment~~
29 ~~or on the date the return was due to be filed or was filed,~~
30 ~~whichever is the latest in accordance with section 421.60,~~
31 ~~subsection 2, paragraph "e".~~ However, the director shall
32 not allow a claim for refund or credit that has not been
33 filed with the department within three years after the tax
34 payment upon which a refund or credit is claimed became due,
35 or one year after the tax payment was made, whichever time is

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1 later. A determination by the department of the amount of
 2 tax, penalty, and interest due, or the amount of refund for
 3 excess tax paid, is final unless the person aggrieved by the
 4 determination appeals to the director for a revision of the
 5 determination within sixty days from the date of the notice
 6 of determination of tax, penalty, and interest due or refund
 7 owing or unless the taxpayer contests the determination by
 8 paying the tax, interest, and penalty and timely filing a claim
 9 for refund. The director shall grant a hearing, and upon the
 10 hearing the director shall determine the correct tax, penalty,
 11 and interest or refund due, and notify the appellant of the
 12 decision by mail. The decision of the director is final unless
 13 the appellant seeks judicial review of the director's decision
 14 under section 450.59 within sixty days after the date of the
 15 notice of the director's decision.

16 Sec. 14. Section 452A.65, subsection 1, Code 2018, is
 17 amended to read as follows:

18 1. In addition to the tax or additional tax, the taxpayer
 19 shall pay a penalty as provided in section 421.27. The
 20 taxpayer shall also pay interest on the tax or additional
 21 tax at the rate in effect under section 421.7 counting each
 22 fraction of a month as an entire month, computed from the date
 23 the return was required to be filed. If the amount of the tax
 24 as determined by the appropriate state agency is less than the
 25 amount paid, the excess shall be refunded with interest, ~~the~~
 26 ~~interest to begin to accrue on the first day of the second~~
 27 ~~calendar month following the date of payment or the date the~~
 28 ~~return was due to be filed or was filed, whichever is the~~
 29 ~~latest, at the rate in effect under section 421.7 counting~~
 30 ~~each fraction of a month as an entire month under the rules~~
 31 ~~prescribed by the appropriate state agency in accordance with~~
 32 section 421.60, subsection 2, paragraph "e". Claims for
 33 refund filed under sections 452A.17 and 452A.21 shall accrue
 34 interest beginning with the first day of the second calendar
 35 month following the date the refund claim is received by the

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1 department.

2 Sec. 15.EFFECTIVE DATE. This division of this Act, being
 3 deemed of immediate importance, takes effect upon enactment.

4 Sec. 16.RETROACTIVE APPLICABILITY. This division of this
 5 Act applies retroactively to January 1, 2018, for tax years
 6 beginning on or after that date, and for refunds issued on or
 7 after that date.

8 DIVISION II
 9 TAX PENALTIES

10 Sec. 17. Section 421.27, subsection 6, Code 2018, is amended
 11 to read as follows:

12 6. *Improper receipt of refund or credit payments.* A person

13 who makes an erroneous application for refund, ~~or credit,~~
 14 reimbursement, rebate, or other payment shall be liable for any
 15 overpayment received or tax liability reduced plus interest
 16 at the rate in effect under section 421.7. In addition, a
 17 person who willfully makes a false or frivolous application
 18 for refund, ~~or credit,~~ reimbursement, rebate, or other payment
 19 with intent to evade tax or with intent to receive a refund,
 20 ~~or credit,~~ reimbursement, rebate, or other payment to which
 21 the person is not entitled is guilty of a fraudulent practice
 22 and is liable for a penalty equal to seventy-five percent of
 23 the refund, ~~or credit,~~ reimbursement, rebate, or other payment
 24 being claimed. Payments, penalties, and interest due under
 25 this subsection may be collected and enforced in the same
 26 manner as the tax imposed.

27 Sec. 18. Section 425.29, Code 2018, is amended to read as
 28 follows:

29 **425.29 False claim — penalty.**

30 A person who makes a false affidavit for the purpose
 31 of obtaining credit or reimbursement provided for in this
 32 division or who knowingly receives the credit or reimbursement
 33 without being legally entitled to it or makes claim for the
 34 credit or reimbursement in more than one county in the state
 35 without being legally entitled to it is guilty of a fraudulent

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1 practice. The claim for credit or reimbursement shall be
 2 disallowed in full and if the claim has been paid the amount
 3 shall be recovered in the manner provided in section 425.27.
 4 The department of revenue may impose penalties under section
 5 421.27. The department of revenue shall send a notice of
 6 disallowance of the claim.

7 Sec. 19.LEGISLATIVE INTENT. It is the intent of the
 8 general assembly that the provisions of this division of this
 9 Act are conforming amendments consistent with current state
 10 law, and that the amendments do not change the application of
 11 current law but instead reflect current law both before and
 12 after the enactment of this division of this Act.

13 Sec. 20.EFFECTIVE DATE. This division of this Act, being
 14 deemed of immediate importance, takes effect upon enactment.

15 DIVISION III

16 MISCELLANEOUS TAX PROVISIONS

17 Sec. 21. Section 34A.7B, subsection 13, Code 2018, is
 18 amended to read as follows:

19 13. The department shall transfer all ~~remitted~~ reported
 20 prepaid wireless 911 surcharges to the treasurer of state
 21 for deposit in the 911 emergency communications fund created
 22 under section 34A.7A, subsection 2, within thirty days of
 23 receipt after deducting an amount, not to exceed two percent of
 24 collected surcharges, that shall be retained by the department
 25 to reimburse its direct costs of administering the collection
 26 and remittance of prepaid wireless 911 surcharges.

27 Sec. 22. Section 421.17, subsection 2, paragraph d, Code
 28 2018, is amended to read as follows:
 29 *d.* To facilitate uniformity and equalization of
 30 assessments throughout the state of Iowa and to facilitate
 31 transfers of funds to local governments, the director may
 32 use geographic information system technology and may require
 33 assessing authorities and local governments that have adopted
 34 compatible technology to provide information to the department
 35 electronically using electronic geographic information

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1 system file formats. The department of revenue shall act on
 2 behalf of political subdivisions and the state to deliver a
 3 consolidated response to the boundary and annexation survey
 4 and provide legal boundary geography data to the United States
 5 census bureau. The department shall coordinate with political
 6 subdivisions and the state to ensure that consistent, accurate,
 7 and integrated geography is provided to the United States
 8 census bureau. The office of the chief information officer
 9 shall provide geographic information system and technical
 10 support to the department to facilitate the exchange.

11 Sec. 23. Section 421.19, Code 2018, is amended to read as
 12 follows:

13 **421.19 Counsel.**

14 1. It shall be the duty of the attorney general and of
 15 the county attorneys in their respective counties to commence
 16 and prosecute actions, prosecutions, and complaints, when
 17 so directed by the director of revenue and to represent the
 18 director in any litigation arising from the discharge of the
 19 director's duties.

20 2. If the department has information that indicates a
 21 taxpayer intentionally filed a false claim, affidavit, return,
 22 or other information with intent to evade tax or to obtain
 23 a refund, credit, or other benefit from the department, the
 24 department may notify federal, state, or local law enforcement
 25 and may disclose state returns, state return information,
 26 state investigative or audit information, or any other state
 27 information to such law enforcement, notwithstanding sections
 28 422.20 and 422.72.

29 3. Notwithstanding sections 422.20 and 422.72, the
 30 department may disclose state returns, state return
 31 information, state investigative or audit information, or any
 32 other state information under this section.

33 Sec. 24. **NEW SECTION. 421.71 Class actions — implied right**
 34 **of action — private cause of action immunity.**

35 1. *Class actions prohibited.* No class action may be brought

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1 against the department, a taxpayer, or a person required to
 2 collect any tax imposed under this title, in any court, agency,

3 or other adjudicative body, or in any other forum, based on
4 any act or omission arising from or related to any provision
5 of this title.

6 2. *No implied right of action.* Nothing in this title shall
7 be construed as creating or providing an implied private right
8 of action or any private common law claim against any taxpayer,
9 or against any person required to collect any tax imposed under
10 this title, in any court, agency, or other adjudicative body,
11 or in any other forum. This subsection shall not apply to or
12 otherwise limit any claim, action, mandate, power, remedy, or
13 discretion of the department, or an agent or designee of the
14 department.

15 3. *Private cause of action immunity for overpayment of*
16 *certain taxes.*

17 a. A taxpayer, or any person required to collect taxes
18 imposed under chapters 423, 423A, 423B, 423C, and 423D, and
19 chapter 423G, as enacted in 2018 Iowa Acts, Senate File 512,
20 shall be immune from any private cause of action arising from
21 or related to the overpayment of taxes imposed under chapters
22 423, 423A, 423B, 423C, and 423D, and chapter 423G, as enacted
23 in 2018 Iowa Acts, Senate File 512, that are collected and
24 remitted to the department.

25 b. Nothing in this subsection shall apply to or otherwise
26 limit any of the following:

27 (1) Any claim, action, mandate, power, remedy, or
28 discretion of the department, or an agent or designee of the
29 department.

30 (2) A taxpayer's right to seek a refund from the department
31 related to taxes imposed under chapters 423, 423A, 423B,
32 423C, and 423D, and chapter 423G, as enacted in 2018 Iowa
33 Acts, Senate File 512, that are collected from or paid by the
34 taxpayer.

35 Sec. 25. Section 423G.5, subsection 1, as enacted by 2018

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1 Iowa Acts, Senate File 512, section 15, is amended to read as
2 follows:

3 1. The director of revenue shall administer the water
4 service tax as nearly as possible in conjunction with the
5 administration of the state sales and use tax law, except that
6 portion of the law that implements the streamlined sales and
7 use tax agreement. The director shall provide appropriate
8 forms, or provide on the regular state tax forms, for reporting
9 water service tax liability, and for ease of administration may
10 require water service tax liability to be identified, reported,
11 and remitted to the department as sales and use tax liability,
12 provided the department has the ability to properly identify
13 such amounts as water service tax revenues upon receipt.

14 Sec. 26. Section 423G.6, subsection 2, paragraphs a, b, and
15 c, as enacted by 2018 Iowa Acts, Senate File 512, section 16,
16 are amended to read as follows:

17 a. For revenues ~~collected~~ reported on or after July 1, 2018,
 18 but before August 1, 2019, one-twelfth of the revenues to the
 19 water quality infrastructure fund created in section 8.57B,
 20 and one-twelfth of the revenues to the water quality financial
 21 assistance fund created in section 16.134A.

22 b. For revenues ~~collected~~ reported on or after August 1,
 23 2019, but before August 1, 2020, one-sixth of the revenues to
 24 the water quality infrastructure fund created in section 8.57B,
 25 and one-sixth of the revenues to the water quality financial
 26 assistance fund created in section 16.134A.

27 c. For revenues ~~collected~~ reported on or after August 1,
 28 2020, one-half of the revenues to the water quality financial
 29 assistance fund created in section 16.134A.

30 Sec. 27.IOWA ELECTION CAMPAIGN FUND TAX CHECKOFF AND
 31 CONTRIBUTIONS — CREDIT TO GENERAL FUND. Notwithstanding
 32 section 68A.601 or 422.12J, or any other provision of law to
 33 the contrary, any amount of contribution to the Iowa election
 34 campaign fund in section 68A.602 designated on an individual
 35 income tax return for any tax year and filed on or after

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1 January 1, 2018, is void and shall be disregarded, and such
 2 contribution amount shall be credited to the general fund and
 3 not to the Iowa election campaign fund.

4 Sec. 28.EFFECTIVE DATE. The following, being deemed of
 5 immediate importance, take effect upon enactment:

6 1. The section of this division of this Act relating to the
 7 Iowa election campaign fund tax checkoff and contributions.

8 2. The section of this division of this Act enacting section
 9 421.71.

10 Sec. 29.RETROACTIVE APPLICABILITY. The following applies
 11 retroactively to January 1, 2018, for individual income tax
 12 returns filed on or after that date:

13 The section of this division of this Act relating to the Iowa
 14 election campaign fund tax checkoff and contributions.

15 DIVISION IV
 16 TAX CREDITS

17 Sec. 30. Section 15E.52, subsection 8, Code 2018, is amended
 18 to read as follows:

19 8. The board shall not certify an innovation fund after June
 20 30, ~~2018~~ 2023.

21 Sec. 31. Section 403.19A, subsection 3, paragraph c,
 22 subparagraph (2), Code 2018, is amended to read as follows:

23 (2) The pilot project city and the economic development
 24 authority shall not enter into a withholding agreement after
 25 June 30, ~~2018~~ 2019.

26 Sec. 32. Section 422.10, subsection 1, Code 2018, is amended
 27 by adding the following new paragraph:

28 NEW PARAGRAPH. *Oa.* An individual shall only be eligible for
 29 the credit provided in this section if the business conducting
 30 the research meets all of the following requirements:

31 (1)(a) The business is engaged in the manufacturing,
32 life sciences, software engineering, or aviation and aerospace
33 industry.

34 (b) Persons that shall not be considered to be engaged in
35 the manufacturing, life sciences, software engineering, or

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1 aviation and aerospace industry, and thus are not eligible
2 for the credit, include but are not limited to all of the
3 following:

4 (i) A person engaged in agricultural production as defined
5 in section 423.1.

6 (ii) A person who is a contractor, subcontractor, builder,
7 or a contractor-retailer that engages in commercial and
8 residential repair and installation, including but not limited
9 to heating or cooling installation and repair, plumbing and
10 pipe fitting, security system installation, and electrical
11 installation and repair. For purposes of this subparagraph
12 subdivision, “*contractor-retailer*” means a business that makes
13 frequent retail sales to the public or to other contractors and
14 that also engages in the performance of construction contracts.

15 (iii) A finance or investment company.

16 (iv) A retailer.

17 (v) A wholesaler.

18 (vi) A transportation company.

19 (vii) A publisher.

20 (viii) An agricultural cooperative association as defined
21 in section 502.102.

22 (ix) A real estate company.

23 (x) A collection agency.

24 (xi) An accountant.

25 (xii) An architect.

26 (2) The business claims and is allowed a research credit
27 for such qualified research expenses under section 41 of the
28 Internal Revenue Code for the same taxable year as it is
29 claiming the credit provided in this section.

30 Sec. 33. Section 422.10, subsection 3, Code 2018, is amended
31 by adding the following new paragraph:

32 **NEW PARAGRAPH.** *0a.* For purposes of this section, “*base*
33 *amount*” means the product of the fixed-based percentage times
34 the average annual gross receipts of the taxpayer for the four
35 taxable years preceding the taxable year for which the credit

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1 is being determined, but in no event shall the base amount be
2 less than fifty percent of the qualified research expenses for
3 the credit year.

4 Sec. 34. Section 422.10, subsection 3, paragraph a, Code
5 2018, is amended to read as follows:

6 a. For purposes of this section, “*base amount*”, “*basic*

7 *research payment*”, and *“qualified research expense”* mean the
 8 same as defined for the federal credit for increasing research
 9 activities under section 41 of the Internal Revenue Code,
 10 except that for the alternative simplified credit such amounts
 11 are for research conducted within this state.

12 Sec. 35. Section 422.11S, subsection 6, paragraph a, Code
 13 2018, is amended to read as follows:

14 a. *“Eligible student”* means a student who is a member of a
 15 household whose total annual income during the calendar year
 16 before the student receives a tuition grant for purposes of
 17 this section does not exceed an amount equal to ~~three~~ four
 18 times the most recently published federal poverty guidelines in
 19 the federal register by the United States department of health
 20 and human services.

21 Sec. 36. Section 422.11S, subsection 8, paragraph a,
 22 subparagraph (2), Code 2018, is amended to read as follows:

23 (2) *“Total approved tax credits”* means for the tax year
 24 beginning in the 2006 calendar year, two million five hundred
 25 thousand dollars, for the tax year beginning in the 2007
 26 calendar year, five million dollars, for tax years beginning
 27 on or after January 1, 2008, but before January 1, 2012, seven
 28 million five hundred thousand dollars, for tax years beginning
 29 on or after January 1, 2012, but before January 1, 2014, eight
 30 million seven hundred fifty thousand dollars, and for tax years
 31 beginning on or after January 1, 2014, but before January 1,
 32 2019, twelve million dollars, and for tax years beginning on or
 33 after January 1, 2019, thirteen million dollars.

34 Sec. 37. Section 422.33, subsection 5, Code 2018, is amended
 35 by adding the following new paragraph:

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1 NEW PARAGRAPH. *0e.* A corporation shall only be
 2 eligible for the credit provided in this subsection if the
 3 business conducting the research meets all of the following
 4 requirements:

5 (1)(a) The business is engaged in the manufacturing,
 6 life sciences, software engineering, or aviation and aerospace
 7 industry.

8 (b) Persons that shall not be considered to be engaged in
 9 the manufacturing, life sciences, software engineering, or
 10 aviation and aerospace industry, and thus are not eligible
 11 for the credit, include but are not limited to all of the
 12 following:

13 (i) A person engaged in agricultural production as defined
 14 in section 423.1.

15 (ii) A person who is a contractor, subcontractor, builder,
 16 or a contractor-retailer that engages in commercial and
 17 residential repair and installation, including but not limited
 18 to heating or cooling installation and repair, plumbing and
 19 pipe fitting, security system installation, and electrical
 20 installation and repair. For purposes of this subparagraph

21 subdivision, “*contractor-retailer*” means a business that makes
22 frequent retail sales to the public or to other contractors and
23 that also engages in the performance of construction contracts.
24 (iii) A finance or investment company.
25 (iv) A retailer.
26 (v) A wholesaler.
27 (vi) A transportation company.
28 (vii) A publisher.
29 (viii) An agricultural cooperative association as defined
30 in section 502.102.
31 (ix) A real estate company.
32 (x) A collection agency.
33 (xi) An accountant.
34 (xii) An architect.
35 (2) The business claims and is allowed a research credit

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1 for such qualified research expenses under section 41 of the
2 Internal Revenue Code for the same taxable year as it is
3 claiming the credit provided in this subsection.
4 Sec. 38. Section 422.33, subsection 5, paragraph e, Code
5 2018, is amended by adding the following new subparagraph:
6 NEW SUBPARAGRAPH. (01) For purposes of this section, “*base*
7 *amount*” means the product of the fixed-based percentage times
8 the average annual gross receipts of the taxpayer for the four
9 taxable years preceding the taxable year for which the credit
10 is being determined, but in no event shall the base amount be
11 less than fifty percent of the qualified research expenses for
12 the credit year.
13 Sec. 39. Section 422.33, subsection 5, paragraph e,
14 subparagraph (1), Code 2018, is amended to read as follows:
15 (1) For purposes of this subsection, “~~*base amount*~~”; “*basic*
16 *research payment*”; and “*qualified research expense*” mean the
17 same as defined for the federal credit for increasing research
18 activities under section 41 of the Internal Revenue Code,
19 except that for the alternative simplified credit such amounts
20 are for research conducted within this state.
21 Sec. 40. Section 422.33, subsection 29, Code 2018, is
22 amended by striking the subsection.
23 Sec. 41. Section 422.60, subsection 12, Code 2018, is
24 amended by striking the subsection.
25 Sec. 42. Section 476C.2, subsection 3, Code 2018, is amended
26 by striking the subsection.
27 Sec. 43. Section 533.329, subsection 2, paragraph 1, Code
28 2018, is amended by striking the paragraph.
29 Sec. 44.2019 INTERIM TAX CREDIT STUDY.
30 1. The legislative council is requested to authorize a
31 study committee to evaluate tax credits available under Iowa
32 law, including Iowa’s utilization of tax credits as a tool
33 for promoting and supporting economic growth and development.
34 The study committee shall also consider new or different

35 tax credits or incentive programs, or tax rate or structure

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1 changes, that will foster economic growth and improve Iowa's
 2 overall tax and economic development climate. The study
 3 committee shall make recommendations that the committee
 4 believes will improve predictability for the state's budget,
 5 improve accountability to the taxpayers of Iowa, maximize
 6 flexibility in utilization, and place Iowa in the best position
 7 for attracting and retaining workers and businesses in the
 8 future. In developing recommendations, the study committee
 9 shall place significant emphasis on directing tax credits,
 10 incentive programs, or tax rate or structure changes toward
 11 Iowa workers and programs to strengthen Iowa's workforce by
 12 incentivizing efforts to expand Iowans' skills and capabilities
 13 in high-demand career fields.

14 2. The study committee shall consist of five members of
 15 the senate, three of whom shall be appointed by the majority
 16 leader of the senate and two of whom shall be appointed by
 17 the minority leader of the senate, and five members of the
 18 house of representatives, three of whom shall be appointed by
 19 the speaker of the house of representatives and two of whom
 20 shall be appointed by the minority leader of the house of
 21 representatives.

22 3. The study committee shall meet during the 2019
 23 legislative interim to make recommendations for consideration
 24 during the 2020 legislative session in a report submitted to
 25 the general assembly.

26 Sec. 45.LEGISLATIVE INTENT. It is the intent of the
 27 general assembly that the provisions of this division of this
 28 Act enacting section 422.10, subsection 3, paragraph "0a",
 29 amending section 422.10, subsection 3, paragraph "a", enacting
 30 section 422.33, subsection 5, paragraph e, subparagraph (01),
 31 and amending section 422.33, subsection 5, paragraph "e",
 32 subparagraph (1), are conforming amendments consistent with
 33 current state law, and that the amendments do not change the
 34 application of current law but instead reflect current law both
 35 before and after the enactment of this division of this Act.

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1 Sec. 46.REPEAL. Sections 422.10A and 422.11I, Code 2018,
 2 are repealed.

3 Sec. 47.REPEAL. Section 422.11L, Code 2018, is repealed.

4 Sec. 48.EFFECTIVE DATE. The following, being deemed of
 5 immediate importance, take effect upon enactment:

6 1. The section of this division of this Act amending section
 7 15E.52, subsection 8.

8 2. The section of this division of this Act enacting section
 9 422.10, subsection 1, paragraph "0a".

10 3. The section of this division of this Act enacting section

11 422.10, subsection 3, paragraph "0a".
 12 4. The section of this division of this Act amending section
 13 422.10, subsection 3, paragraph "a".
 14 5. The section of this division of this Act enacting section
 15 422.33, subsection 5, paragraph "0e".
 16 6. The section of this division of this Act enacting section
 17 422.33, subsection 5, paragraph "e", subparagraph (01).
 18 7. The section of this division of this Act amending section
 19 422.33, subsection 5, paragraph "e", subparagraph (1).
 20 8. The section of this division of this Act entitled
 21 "legislative intent" which describes the intent of the general
 22 assembly with respect to certain amendments in this division of
 23 this Act to sections 422.10 and 422.33.
 24 Sec. 49.EFFECTIVE DATE. The following take effect January
 25 1, 2019:
 26 1. The sections of this division of this Act amending
 27 section 422.11S.
 28 2. The section of this division of this Act repealing
 29 sections 422.10A and 422.11I.
 30 Sec. 50.RETROACTIVE APPLICABILITY. The following apply
 31 retroactively to January 1, 2017, for tax years beginning on
 32 or after that date:
 33 1. The section of this division of this Act enacting section
 34 422.10, subsection 1, paragraph "0a".
 35 2. The section of this division of this Act enacting section

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1 422.33, subsection 5, paragraph "0e".
 2 Sec. 51.APPLICABILITY. The following apply to solar energy
 3 system installations occurring on or after July 1, 2018:
 4 1. The section of this division of this Act repealing
 5 section 422.11L.
 6 2. The section of this division of this Act striking section
 7 422.33, subsection 29.
 8 3. The section of this division of this Act striking section
 9 422.60, subsection 12.
 10 4. The section of this division of this Act striking section
 11 476C.2, subsection 3.
 12 5. The section of this division of this Act striking section
 13 533.329, subsection 2, paragraph "I".
 14 Sec. 52.APPLICABILITY. The following applies to tax
 15 years beginning on or after January 1, 2019, and to qualified
 16 geothermal heat pump property installations occurring on or
 17 after January 1, 2019:
 18 The section of this division of this Act repealing sections
 19 422.10A and 422.11I.
 20 DIVISION V
 21 TAXPAYERS TRUST FUND AND TAXPAYERS TRUST FUND TAX CREDIT
 22 Sec. 53. Section 8.55, subsection 2, paragraph a, Code 2018,
 23 is amended to read as follows:
 24 a. The first sixty million dollars of the difference

25 between the actual net revenue for the general fund of the
 26 state for the fiscal year and the adjusted revenue estimate for
 27 the fiscal year shall be transferred to the ~~taxpayers trust~~
 28 taxpayer relief fund created in section 8.57E.

29 Sec. 54. Section 8.57E, Code 2018, is amended to read as
 30 follows:

31 **8.57E ~~Taxpayers trust~~ Taxpayer relief fund.**

32 1. A ~~taxpayers trust~~ Taxpayer relief fund is created. The
 33 fund shall be separate from the general fund of the state and
 34 the balance in the fund shall not be considered part of the
 35 balance of the general fund of the state. The moneys credited

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1 to the fund are not subject to section 8.33 and shall not
 2 be transferred, used, obligated, appropriated, or otherwise
 3 encumbered except as provided in this section.

4 2. Moneys in the ~~taxpayers trust~~ taxpayer relief fund shall
 5 only be used pursuant to appropriations or transfers made by
 6 the general assembly for tax relief, including but not limited
 7 to increases in the general retirement income exclusion under
 8 section 422.7, subsection 31, or reductions in income tax
 9 rates. During each fiscal year beginning on or after July 1,
 10 2014, in which the balance of the taxpayers trust fund equals
 11 or exceeds thirty million dollars, there is transferred from
 12 the taxpayers trust fund to the Iowa taxpayers trust fund tax
 13 credit fund created in section 422.11E, the entire balance of
 14 the taxpayers trust fund to be used for the Iowa taxpayers
 15 trust fund tax credit in accordance with section 422.11E,
 16 subsection 5.

17 3.a. Moneys in the ~~taxpayers trust~~ taxpayer relief
 18 fund may be used for cash flow purposes during a fiscal year
 19 provided that any moneys so allocated are returned to the fund
 20 by the end of that fiscal year.

21 b. Except as provided in section 8.58, the ~~taxpayers trust~~
 22 taxpayer relief fund shall be considered a special account for
 23 the purposes of section 8.53 in determining the cash position
 24 of the general fund of the state for the payment of state
 25 obligations.

26 4. Notwithstanding section 12C.7, subsection 2, interest or
 27 earnings on moneys deposited in the ~~taxpayers trust~~ taxpayer
 28 relief fund shall be credited to the fund.

29 Sec. 55. Section 8.58, Code 2018, is amended to read as
 30 follows:

31 **8.58 Exemption from automatic application.**

32 1. To the extent that moneys appropriated under section
 33 8.57 do not result in moneys being credited to the general
 34 fund under section 8.55, subsection 2, moneys appropriated
 35 under section 8.57 and moneys contained in the cash reserve

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1 fund, rebuild Iowa infrastructure fund, environment first fund,
 2 Iowa economic emergency fund, ~~taxpayers trust taxpayer relief~~
 3 fund, and state bond repayment fund shall not be considered
 4 in the application of any formula, index, or other statutory
 5 triggering mechanism which would affect appropriations,
 6 payments, or taxation rates, contrary provisions of the Code
 7 notwithstanding.

8 2. To the extent that moneys appropriated under section
 9 8.57 do not result in moneys being credited to the general fund
 10 under section 8.55, subsection 2, moneys appropriated under
 11 section 8.57 and moneys contained in the cash reserve fund,
 12 rebuild Iowa infrastructure fund, environment first fund, Iowa
 13 economic emergency fund, ~~taxpayers trust taxpayer relief~~ fund,
 14 and state bond repayment fund shall not be considered by an
 15 arbitrator or in negotiations under chapter 20.

16 Sec. 56. Section 257.21, subsection 2, Code 2018, is amended
 17 to read as follows:

18 2. The instructional support income surtax shall be imposed
 19 on the state individual income tax for the calendar year during
 20 which the school's budget year begins, or for a taxpayer's
 21 fiscal year ending during the second half of that calendar year
 22 and after the date the board adopts a resolution to participate
 23 in the program or the first half of the succeeding calendar
 24 year, and shall be imposed on all individuals residing in the
 25 school district on the last day of the applicable tax year.

26 As used in this section, "*state individual income tax*" means
 27 the taxes computed under section 422.5, less the amounts of
 28 nonrefundable credits allowed under chapter 422, division II,
 29 ~~except for the Iowa taxpayers trust fund tax credit allowed~~
 30 ~~under section 422.11E.~~

31 Sec. 57. Section 422D.2, Code 2018, is amended to read as
 32 follows:

33 **422D.2 Local income surtax.**

34 A county may impose by ordinance a local income surtax as
 35 provided in section 422D.1 at the rate set by the board of

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1 supervisors, of up to one percent, on the state individual
 2 income tax of each individual residing in the county at the
 3 end of the individual's applicable tax year. However, the
 4 cumulative total of the percents of income surtax imposed on
 5 any taxpayer in the county shall not exceed twenty percent.
 6 The reason for imposing the surtax and the amount needed
 7 shall be set out in the ordinance. The surtax rate shall be
 8 set to raise only the amount needed. For purposes of this
 9 section, "*state individual income tax*" means the tax computed
 10 under section 422.5, less the amounts of nonrefundable credits
 11 allowed under chapter 422, division II, ~~except for the Iowa~~
 12 ~~taxpayers trust fund tax credit allowed under section 422.11E.~~

- 13 Sec. 58.REPEAL. Section 422.11E, Code 2018, is repealed.
 14 Sec. 59.EFFECTIVE DATE. This division of this Act, being
 15 deemed of immediate importance, takes effect upon enactment.
 16 Sec. 60.RETROACTIVE APPLICABILITY. The following apply
 17 retroactively to January 1, 2018, for tax years beginning on
 18 or after that date:
 19 1. The section of this division of this Act amending section
 20 257.21.
 21 2. The section of this division of this Act repealing
 22 section 422.11E.
 23 3. The section of this division of this Act amending section
 24 422D.2.

25 DIVISION VI

26 TAXPAYERS TRUST FUND TRANSFER CAP

- 27 Sec. 61. Section 8.54, subsection 5, Code 2018, is amended
 28 by striking the subsection.
 29 Sec. 62. Section 8.55, subsection 2, Code 2018, is amended
 30 to read as follows:
 31 2. The maximum balance of the fund is the amount equal to
 32 two and one-half percent of the adjusted revenue estimate for
 33 the fiscal year. If the amount of moneys in the Iowa economic
 34 emergency fund is equal to the maximum balance, moneys in
 35 excess of this amount shall be distributed as follows:

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- 1 ~~a. The first sixty million dollars of the difference between~~
 2 ~~the actual net revenue for the general fund of the state for~~
 3 ~~the fiscal year and the adjusted revenue estimate for the~~
 4 ~~fiscal year shall be transferred to the taxpayers trust fund~~
 5 ~~created in section 8.57E.~~
 6 ~~b. The remainder of the excess, if any, shall be transferred~~
 7 ~~to the general fund of the state.~~
 8 Sec. 63. Section 8.58, Code 2018, is amended to read as
 9 follows:
 10 **8.58 Exemption from automatic application.**
 11 1. ~~To the extent that moneys appropriated under section~~
 12 ~~8.57 do not result in moneys being credited to the general fund~~
 13 ~~under section 8.55, subsection 2, moneys Moneys appropriated~~
 14 ~~under section 8.57 and moneys contained in the cash reserve~~
 15 ~~fund, rebuild Iowa infrastructure fund, environment first fund,~~
 16 ~~Iowa economic emergency fund, taxpayers trust fund, and state~~
 17 ~~bond repayment fund shall not be considered in the application~~
 18 ~~of any formula, index, or other statutory triggering mechanism~~
 19 ~~which would affect appropriations, payments, or taxation rates,~~
 20 ~~contrary provisions of the Code notwithstanding.~~
 21 2. ~~To the extent that moneys appropriated under section~~
 22 ~~8.57 do not result in moneys being credited to the general fund~~
 23 ~~under section 8.55, subsection 2, moneys Moneys appropriated~~
 24 ~~under section 8.57 and moneys contained in the cash reserve~~
 25 ~~fund, rebuild Iowa infrastructure fund, environment first fund,~~
 26 ~~Iowa economic emergency fund, taxpayers trust fund, and state~~

27 bond repayment fund shall not be considered by an arbitrator or
28 in negotiations under chapter 20.

29 Sec. 64.EFFECTIVE DATE. This division of this Act takes
30 effect July 1, 2019.

31 Sec. 65.APPLICABILITY. This division of this Act is first
32 applicable to calculate the state general fund expenditure
33 limitation for the fiscal year beginning July 1, 2019.

34 DIVISION VII

35 INDIVIDUAL INCOME TAX CHANGES BEGINNING IN TAX YEAR 2018

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1 Sec. 66. Section 422.7, Code 2018, is amended by adding the
2 following new subsections:
3 NEW SUBSECTION. 51.a. Notwithstanding any other provision
4 of law to the contrary, the increased expensing allowance under
5 section 179 of the Internal Revenue Code, as amended by Pub.
6 L. No. 115-97, §13101, applies in computing net income for
7 state tax purposes for tax years beginning on or after January
8 1, 2018, subject to the limitations in this subsection for tax
9 years beginning prior to January 1, 2020.

10 b. If the taxpayer has taken the increased expensing
11 allowance under section 179 of the Internal Revenue Code,
12 as amended by Pub. L. No. 115-97, §13101, for purposes of
13 computing federal adjusted gross income for tax years beginning
14 on or after January 1, 2018, but before January 1, 2020, then
15 the taxpayer shall make the following adjustments to federal
16 adjusted gross income when computing net income for state tax
17 purposes for the same tax year:

18 (1) Add the total amount of expense deduction taken on
19 section 179 property allowable for federal tax purposes under
20 section 179 of the Internal Revenue Code, as amended by Pub.
21 L. No. 115-97, §13101.

22 (2)(a) For tax years beginning on or after January
23 1, 2018, but before January 1, 2019, subtract the amount
24 of expense deduction on section 179 property allowable for
25 federal tax purposes under section 179 of the Internal Revenue
26 Code, as amended by Pub. L. No. 115-97, §13101, not to exceed
27 seventy thousand dollars. The subtraction in this subparagraph
28 division shall be reduced, but not below zero, by the amount by
29 which the total cost of section 179 property placed in service
30 by the taxpayer during the tax year exceeds two hundred eighty
31 thousand dollars.

32 (b) For tax years beginning on or after January 1, 2019,
33 but before January 1, 2020, subtract the amount of expense
34 deduction on section 179 property allowable for federal tax
35 purposes under section 179 of the Internal Revenue Code, as

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1 amended by Pub. L. No. 115-97, §13101, not to exceed one
2 hundred thousand dollars. The subtraction in this subparagraph

3 division shall be reduced, but not below zero, by the amount by
4 which the total cost of section 179 property placed in service
5 by the taxpayer during the tax year exceeds four hundred
6 thousand dollars.

7 (3) Any other adjustments to gains or losses necessary to
8 reflect adjustments made in subparagraphs (1) and (2).

9 c. The director shall adopt rules pursuant to chapter 17A
10 to administer this subsection.

11 NEW SUBSECTION. 52.a. For tax years beginning on or
12 after January 1, 2018, but before January 1, 2020, a taxpayer
13 may elect to take advantage of this subsection in lieu of
14 subsection 51, but only if the taxpayer's total expensing
15 allowance deduction for federal tax purposes under section 179
16 of the Internal Revenue Code, as amended by Pub. L. No. 115-97,
17 §13101, that is allocated to the taxpayer from one or more
18 partnerships, S corporations, or limited liability companies
19 electing to have the income taxed directly to the individual
20 exceeds seventy thousand dollars for a tax year beginning
21 during the 2018 calendar year, or exceeds one hundred thousand
22 dollars for a tax year beginning during the 2019 calendar year,
23 and would, except as provided in this subsection, be limited
24 for purposes of computing net income for state tax purposes
25 pursuant to subsection 51.

26 b. A taxpayer who elects to take advantage of this
27 subsection shall make the following adjustments to federal
28 adjusted gross income when computing net income for state tax
29 purposes:

30 (1) Add the total amount of section 179 expense
31 deduction allocated to the taxpayer from all partnerships, S
32 corporations, or limited liability companies electing to have
33 the income taxed directly to the individual, to the extent the
34 allocated amount was allowed as a deduction to the taxpayer
35 for federal tax purposes for the tax year under section 179 of

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1 the Internal Revenue Code, as amended by Pub. L. No. 115-97,
2 §13101.

3 (2) From the amount added in subparagraph (1), do the
4 following:

5 (a) For tax years beginning on or after January 1, 2018,
6 but before January 1, 2019, subtract the first seventy thousand
7 dollars of expensing allowance deduction on section 179
8 property.

9 (b) For tax years beginning on or after January 1, 2019,
10 but before January 1, 2020, subtract the first one hundred
11 thousand dollars of expensing allowance deduction on section
12 179 property.

13 (3) The remaining amount, equal to the difference between
14 the amount added in subparagraph (1), and the amount subtracted
15 in subparagraph (2), may be deducted by the taxpayer but such
16 deduction shall be amortized equally over five tax years

17 beginning in the following tax year.

18 (4) Any other adjustments to gains or losses necessary to
19 reflect adjustments made in subparagraphs (1) through (3).

20 c. A taxpayer who elects to take advantage of this
21 subsection shall not take the increased expensing allowance
22 under section 179 of the Internal Revenue Code, as amended by
23 Pub. L. No. 115-97, §13101, for any section 179 property placed
24 in service by the taxpayer in computing adjusted gross income
25 for state tax purposes. If the taxpayer has taken any such
26 deduction for purposes of computing federal adjusted gross
27 income, the taxpayer shall make the following adjustments to
28 federal adjusted gross income when computing net income for
29 state tax purposes:

30 (1) Add the total amount of expense deduction for federal
31 tax purposes taken on section 179 property placed in service by
32 the taxpayer under section 179 of the Internal Revenue Code, as
33 amended by Pub. L. No. 115-97, §13101.

34 (2) Subtract the amount of depreciation allowable on such
35 property under the modified accelerated cost recovery system

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1 described in section 168 of the Internal Revenue Code, without
2 regard to section 168(k) of the Internal Revenue Code. The
3 taxpayer shall continue to take depreciation on the applicable
4 property in future tax years to the extent allowed under the
5 modified accelerated cost recovery system described in section
6 168 of the Internal Revenue Code, without regard to section
7 168(k) of the Internal Revenue Code.

8 (3) Any other adjustments to gains or losses necessary to
9 reflect the adjustments made in subparagraphs (1) and (2).

10 d. The election made under this subsection is for one tax
11 year and the taxpayer may elect or not elect to take advantage
12 of this subsection in any subsequent tax year. However, not
13 electing to take advantage of this subsection in a subsequent
14 tax year shall not affect the taxpayer's ability to claim the
15 tax deduction under paragraph "b", subparagraph (3), that
16 originated from a previous tax year.

17 e. The director shall adopt rules pursuant to chapter 17A
18 to administer this subsection.

19 Sec. 67. Section 422.9, subsection 2, paragraph h, Code
20 2018, is amended to read as follows:

21 h. For purposes of calculating the deductions in this
22 subsection that are authorized under the Internal Revenue Code,
23 and to the extent that any of such deductions is determined by
24 an individual's federal adjusted gross income, the individual's
25 federal adjusted gross income is computed in accordance with
26 section 422.7, subsections 39, 39A, 39B, 51, 52, and 53.

27 Sec. 68. TAX-FREE IRA DISTRIBUTIONS TO CERTAIN PUBLIC
28 CHARITIES FOR INDIVIDUALS SEVENTY AND ONE-HALF YEARS OF AGE
29 OR OLDER. Notwithstanding any other provision of law to the
30 contrary, for tax years beginning during the 2018 calendar

31 year, the exclusion from federal adjusted gross income for
 32 certain qualified charitable distributions from an individual
 33 retirement plan provided in section 408(d)(8) of the Internal
 34 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
 35 §112, applies in computing net income for state tax purposes.

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1 Sec. 69.STATE SALES AND USE TAX DEDUCTION.
 2 Notwithstanding any other provision of law to the contrary, for
 3 tax years beginning during the 2018 calendar year, a taxpayer
 4 who elects to itemize deductions for state tax purposes under
 5 section 422.9, subsection 2, is allowed to take the deduction
 6 for state sales and use tax in lieu of the deduction for state
 7 and local income taxes under section 164(b)(5) of the Internal
 8 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
 9 §106, in computing taxable income for state tax purposes, but
 10 only if the taxpayer elected to deduct state sales and use
 11 taxes in lieu of state and local income taxes for federal tax
 12 purposes for the same tax year.

13 Sec. 70.EARNED INCOME TAX CREDIT FOR 2018.
 14 Notwithstanding the definition of "Internal Revenue Code"
 15 in section 422.3, for tax years beginning during the 2018
 16 calendar year, any reference to the term "Internal Revenue
 17 Code" in section 422.12B shall mean the Internal Revenue Code
 18 of 1954, prior to the date of its redesignation as the Internal
 19 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
 20 the Internal Revenue Code of 1986 as amended and in effect on
 21 January 1, 2016, but shall not be construed to include any
 22 amendment to the Internal Revenue Code enacted after January 1,
 23 2016, including any amendment with retroactive applicability
 24 or effectiveness.

25 Sec. 71.ACCOUNTING METHOD AND OTHER MISCELLANEOUS
 26 COUPLING PROVISIONS FOR TAX YEAR 2018. Notwithstanding any
 27 other provision of law to the contrary, amendments to the
 28 Internal Revenue Code enacted in Pub. L. No. 115-97, §13102,
 29 §13221, §13504, §13541, §13543, §13611, and §13613, apply in
 30 calculating federal adjusted gross income or federal taxable
 31 income, as applicable, for state tax purposes for purposes of
 32 chapter 422 for tax years beginning during the 2018 calendar
 33 year to the extent those amendments affect the calculation of
 34 federal adjusted gross income or federal taxable income, as
 35 applicable, for federal tax purposes for tax years beginning

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1 during the 2018 calendar year.
 2 Sec. 72.TEACHER EXPENSE DEDUCTION. Notwithstanding
 3 any other provision of law to the contrary, for tax years
 4 beginning during the 2018 calendar year, a taxpayer is allowed
 5 to take the deduction for certain expenses of elementary and
 6 secondary school teachers allowed under section 62(a)(2)(D) of

7 the Internal Revenue Code, as amended by Pub. L. No. 114-113,
 8 division Q, §104, in computing net income for state tax
 9 purposes.
 10 Sec. 73.EFFECTIVE DATE. This division of this Act, being
 11 deemed of immediate importance, takes effect upon enactment.
 12 Sec. 74.RETROACTIVE APPLICABILITY. Except as otherwise
 13 provided in this division of this Act, this division of this
 14 Act applies retroactively to January 1, 2018, for tax years
 15 beginning on or after that date, but before January 1, 2019.
 16 Sec. 75.RETROACTIVE APPLICABILITY. The following apply
 17 retroactively to January 1, 2018, for tax years beginning on
 18 or after that date:

19 1. The section of this division of this Act enacting section
 20 422.7, subsections 51 and 52.
 21 2. The section of this division of this Act amending section
 22 422.9, subsection 2, paragraph “h”.

23 DIVISION VIII

24 INDIVIDUAL AND CORPORATE INCOME TAX AND FRANCHISE TAX CHANGES 25 BEGINNING IN TAX YEAR 2019

26 Sec. 76. Section 15.335, subsection 7, paragraph b, Code
 27 2018, is amended by striking the paragraph and inserting in
 28 lieu thereof the following:

29 *b.* For purposes of this section, “*Internal Revenue Code*”
 30 means the same as defined in section 422.3.

31 Sec. 77. Section 422.3, subsection 5, Code 2018, is amended
 32 to read as follows:

33 5. “*Internal Revenue Code*” means one of the following:

34 *a.* For tax years beginning during the 2019 calendar year,
 35 “*Internal Revenue Code*” means the Internal Revenue Code of

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1 1954, prior to the date of its redesignation as the Internal
 2 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
 3 the Internal Revenue Code of 1986 as amended and in effect on
 4 ~~January 1, 2015~~ March 24, 2018. This definition shall not be
 5 construed to include any amendment to the Internal Revenue Code
 6 enacted after the date specified in the preceding sentence,
 7 including any amendment with retroactive applicability or
 8 effectiveness.

9 *b.* For tax years beginning on or after January 1, 2020,
 10 “*Internal Revenue Code*” means the Internal Revenue Code of
 11 1954, prior to the date of its redesignation as the Internal
 12 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
 13 Internal Revenue Code of 1986, as amended.

14 Sec. 78. Section 422.4, subsection 16, Code 2018, is amended
 15 to read as follows:

16 16. The words “*taxable income*” mean the net income as
 17 defined in section 422.7 minus the deductions allowed by
 18 section 422.9, in the case of individuals; in the case of
 19 estates or trusts, the words “*taxable income*” mean the taxable
 20 income (~~without a deduction for personal exemption~~) as

21 computed for federal income tax purposes under the Internal
 22 Revenue Code, but with the following adjustments specified in
 23 section 422.7 plus the Iowa income tax deducted in computing
 24 the federal taxable income and minus federal income taxes as
 25 provided in section 422.9.:

26 a. Add back the personal exemption deduction taken in
 27 computing federal taxable income.

28 b. Make the adjustments specified in section 422.7.

29 c. Add back Iowa income tax deducted in computing federal
 30 taxable income.

31 d. Subtract federal income taxes as provided in section
 32 422.9.

33 e. Add back the following percentage of the qualified
 34 business income deduction under section 199A of the Internal
 35 Revenue Code taken in calculating federal taxable income for

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1 the applicable tax year:

2 (1) For tax years beginning on or after January 1, 2019, but
 3 before January 1, 2021, seventy-five percent.

4 (2) For tax years beginning during the 2021 calendar year,
 5 fifty percent.

6 (3) For tax years beginning on or after January 1, 2022,
 7 twenty-five percent.

8 Sec. 79. Section 422.5, subsection 1, Code 2018, is amended
 9 to read as follows:

10 1.a. A tax is imposed upon every resident and nonresident
 11 of the state which tax shall be levied, collected, and paid
 12 annually upon and with respect to the entire taxable income
 13 as defined in this division at rates as follows: provided in
 14 section 422.5A.

15 ~~a. On all taxable income from zero through one thousand~~
 16 ~~dollars, thirty-six hundredths of one percent.~~

17 ~~b. On all taxable income exceeding one thousand dollars but~~
 18 ~~not exceeding two thousand dollars, seventy-two hundredths of~~
 19 ~~one percent.~~

20 ~~c. On all taxable income exceeding two thousand dollars~~
 21 ~~but not exceeding four thousand dollars, two and forty three~~
 22 ~~hundredths percent.~~

23 ~~d. On all taxable income exceeding four thousand dollars but~~
 24 ~~not exceeding nine thousand dollars, four and one-half percent.~~

25 ~~e. On all taxable income exceeding nine thousand dollars~~
 26 ~~but not exceeding fifteen thousand dollars, six and twelve~~
 27 ~~hundredths percent.~~

28 ~~f. On all taxable income exceeding fifteen thousand dollars~~
 29 ~~but not exceeding twenty thousand dollars, six and forty-eight~~
 30 ~~hundredths percent.~~

31 ~~g. On all taxable income exceeding twenty thousand dollars~~
 32 ~~but not exceeding thirty thousand dollars, six and eight-tenths~~
 33 ~~percent.~~

34 ~~h. On all taxable income exceeding thirty thousand dollars~~

35 but not exceeding forty-five thousand dollars, seven and

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1 ~~ninety-two hundredths percent.~~

2 ~~i. On all taxable income exceeding forty-five thousand~~

3 ~~dollars, eight and ninety-eight hundredths percent.~~

4 ~~j. b.(1) The tax imposed upon the taxable income of a~~

5 ~~nonresident shall be computed by reducing the amount determined~~

6 ~~pursuant to paragraphs "a" through "i" paragraph "a" by the~~

7 ~~amounts of nonrefundable credits under this division and by~~

8 ~~multiplying this resulting amount by a fraction of which the~~

9 ~~nonresident's net income allocated to Iowa, as determined in~~

10 ~~section 422.8, subsection 2, paragraph "a", is the numerator and~~

11 ~~the nonresident's total net income computed under section 422.7~~

12 ~~is the denominator. This provision also applies to individuals~~

13 ~~who are residents of Iowa for less than the entire tax year.~~

14 (2)(a) The tax imposed upon the taxable income of a

15 resident shareholder in an S corporation or of an estate

16 or trust with a situs in Iowa that is a shareholder in an S

17 corporation, which S corporation has in effect for the tax

18 year an election under subchapter S of the Internal Revenue

19 Code and carries on business within and without the state,

20 may be computed by reducing the amount determined pursuant

21 to paragraphs "a" through "i" paragraph "a" by the amounts of

22 nonrefundable credits under this division and by multiplying

23 this resulting amount by a fraction of which the resident's

24 or estate's or trust's net income allocated to Iowa, as

25 determined in section 422.8, subsection 2, paragraph "b", is

26 the numerator and the resident's or estate's or trust's total

27 net income computed under section 422.7 is the denominator. If

28 a resident shareholder, or an estate or trust with a situs in

29 Iowa that is a shareholder, has elected to take advantage of

30 this subparagraph (2), and for the next tax year elects not to

31 take advantage of this subparagraph, the resident or estate or

32 trust shareholder shall not reelect to take advantage of this

33 subparagraph for the three tax years immediately following the

34 first tax year for which the shareholder elected not to take

35 advantage of this subparagraph, unless the director consents to

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1 the reelection. This subparagraph also applies to individuals

2 who are residents of Iowa for less than the entire tax year.

3 (b) This subparagraph (2) shall not affect the amount of

4 the taxpayer's checkoffs under this division, the credits from

5 tax provided under this division, and the allocation of these

6 credits between spouses if the taxpayers filed separate returns

7 or separately on combined returns.

8 Sec. 80. Section 422.5, subsection 2, paragraph a, Code

9 2018, is amended to read as follows:

10 a. There is imposed upon every resident and nonresident of

11 this state, including estates and trusts, the greater of the
 12 tax determined in subsection 1, paragraphs "a" through "j", or
 13 the state alternative minimum tax equal to seventy-five percent
 14 of the maximum state individual income tax rate for the tax
 15 year, rounded to the nearest one-tenth of one percent, times
 16 the state alternative minimum taxable income of the taxpayer as
 17 computed under this subsection.

18 **Sec. 81. NEW SECTION. 422.5A Tax rates.**

19 The tax imposed in section 422.5 shall be calculated at the
 20 following rates:

- 21 1. On all taxable income from 0 through \$1,000, the rate of
 22 0.33 percent.
- 23 2. On all taxable income exceeding \$1,000 but not exceeding
 24 \$2,000, the rate of 0.67 percent.
- 25 3. On all taxable income exceeding \$2,000 but not exceeding
 26 \$4,000, the rate of 2.25 percent.
- 27 4. On all taxable income exceeding \$4,000 but not exceeding
 28 \$9,000, the rate of 4.14 percent.
- 29 5. On all taxable income exceeding \$9,000 but not exceeding
 30 \$15,000, the rate of 5.63 percent.
- 31 6. On all taxable income exceeding \$15,000 but not exceeding
 32 \$20,000, the rate of 5.96 percent.
- 33 7. On all taxable income exceeding \$20,000 but not exceeding
 34 \$30,000, the rate of 6.25 percent.
- 35 8. On all taxable income exceeding \$30,000 but not exceeding

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1 \$45,000, the rate of 7.44 percent.

2 9. On all taxable income exceeding \$45,000, the rate of 8.53
 3 percent.

4 **Sec. 82.** Section 422.5, subsection 6, Code 2018, is amended
 5 to read as follows:

6 6. Upon determination of the latest cumulative inflation
 7 factor, the director shall multiply each dollar amount set
 8 forth in ~~subsection 1, paragraphs "a" through "j"~~ section
 9 422.5A by this cumulative inflation factor, shall round
 10 off the resulting product to the nearest one dollar, and
 11 shall incorporate the result into the income tax forms and
 12 instructions for each tax year.

13 **Sec. 83.** Section 422.7, subsection 39A, unnumbered
 14 paragraph 1, Code 2018, is amended by striking the unnumbered
 15 paragraph and inserting in lieu thereof the following:

16 The additional first-year depreciation allowance authorized
 17 in section 168(k) of the Internal Revenue Code does not
 18 apply in computing net income for state tax purposes. If the
 19 taxpayer has taken the additional first-year depreciation
 20 allowance for purposes of computing federal adjusted gross
 21 income, then the taxpayer shall make the following adjustments
 22 to federal adjusted gross income when computing net income for
 23 state tax purposes:

24 **Sec. 84.** Section 422.7, Code 2018, is amended by adding the

25 following new subsection:

26 NEW SUBSECTION. 59.a. The rules for nonrecognition
27 of gain or loss from exchanges of real property held for
28 productive use or investment and not held primarily for sale,
29 as provided in section 1031 of the Internal Revenue Code, apply
30 for state income tax purposes with regard to exchanges of real
31 property.

32 b.(1) The rules for nonrecognition of gain or loss
33 from exchanges of property other than real property held for
34 productive use or investment as provided in section 1031 of the
35 Internal Revenue Code, as amended up to and including December

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1 21, 2017, apply for state income tax purposes for tax years
2 beginning during the 2019 calendar year, notwithstanding any
3 other provision of law to the contrary. If the taxpayer's
4 federal adjusted gross income includes gain or loss from
5 property, other than real property described in paragraph "a",
6 and the taxpayer elects to have this paragraph apply, the
7 following adjustments shall be made:

8 (a)(i) Subtract the total amount of gain related to the
9 sale or exchange of the property as properly reported for
10 federal tax purposes under the Internal Revenue Code.

11 (ii) Add back any gain related to the sale or exchange
12 of the property to the extent such gain does not qualify for
13 deferral under section 1031 of the Internal Revenue Code, as
14 amended up to and including December 21, 2017, which gain
15 shall be calculated using the taxpayer's adjusted basis in the
16 property for state tax purposes.

17 (b)(i) Add the total amount of loss related to the sale or
18 exchange of the property as properly reported for federal tax
19 purposes under the Internal Revenue Code.

20 (ii) Subtract any loss related to the sale or exchange
21 of the property to the extent such loss does not qualify for
22 deferral under section 1031 of the Internal Revenue Code, as
23 amended up to and including December 21, 2017, which loss
24 shall be calculated using the taxpayer's adjusted basis in the
25 property for state tax purposes.

26 (c) Any other adjustments to gains, losses, deductions, or
27 tax basis for the property given up or received in the sale or
28 exchange pursuant to rules adopted by the director.

29 (2) The director shall adopt rules pursuant to chapter 17A
30 to administer this paragraph.

31 c. This subsection is repealed January 1, 2020, for tax
32 years beginning on or after that date.

33 Sec. 85. Section 422.8, subsection 2, paragraph a, Code
34 2018, is amended to read as follows:

35 a. Nonresident's net income allocated to Iowa is the net

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1 income, or portion of net income, which is derived from a
 2 business, trade, profession, or occupation carried on within
 3 this state or income from any property, trust, estate, or
 4 other source within Iowa. However, income derived from a
 5 business, trade, profession, or occupation carried on within
 6 this state and income from any property, trust, estate, or
 7 other source within Iowa shall not include distributions from
 8 pensions, including defined benefit or defined contribution
 9 plans, annuities, individual retirement accounts, and deferred
 10 compensation plans or any earnings attributable thereto so long
 11 as the distribution is directly related to an individual's
 12 documented retirement and received while the individual is a
 13 nonresident of this state. If a business, trade, profession,
 14 or occupation is carried on partly within and partly without
 15 the state, only the portion of the net income which is fairly
 16 and equitably attributable to that part of the business,
 17 trade, profession, or occupation carried on within the state
 18 is allocated to Iowa for purposes of section 422.5, subsection
 19 1, paragraph "a" "b", and section 422.13 and income from any
 20 property, trust, estate, or other source partly within and
 21 partly without the state is allocated to Iowa in the same
 22 manner, except that annuities, interest on bank deposits and
 23 interest-bearing obligations, and dividends are allocated
 24 to Iowa only to the extent to which they are derived from a
 25 business, trade, profession, or occupation carried on within
 26 the state. Net income described in section 29C.24, subsection
 27 3, paragraph "a", subparagraph (3), and paragraph "b",
 28 subparagraph (2), shall not be allocated and apportioned to the
 29 state, as provided in section 29C.24.

30 Sec. 86. Section 422.9, unnumbered paragraph 1, Code 2018,
 31 is amended to read as follows:

32 In computing taxable income of individuals, there shall be
 33 deducted from net income the larger of the following amounts:
 34 computed under subsection 1 or 2, plus the amount computed
 35 under subsection 2A.

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1 Sec. 87. Section 422.9, Code 2018, is amended by adding the
 2 following new subsection:

3 NEW SUBSECTION. 2A.a. The following percentage of the
 4 qualified business income deduction under section 199A of the
 5 Internal Revenue Code taken in calculating federal taxable
 6 income for the applicable tax year:

7 (1) For tax years beginning on or after January 1, 2019, but
 8 before January 1, 2021, twenty-five percent.

9 (2) For tax years beginning during the 2021 calendar year,
 10 fifty percent.

11 (3) For tax years beginning on or after January 1, 2022,
 12 seventy-five percent.

13 *b.* Notwithstanding paragraph “*a*”, and section 422.4,
14 subsection 16, paragraph “*e*”, for an entity electing or required
15 to file a composite return under section 422.13, subsection 5,
16 the deduction allowed under this subsection for purposes of the
17 composite return shall be an amount equal to the applicable
18 percentage described in paragraph “*a*” of the deduction that
19 would be allowable for federal income tax purposes under
20 section 199A of the Internal Revenue Code by an individual
21 taxpayer reporting the same items of income and loss that are
22 included in the composite return.

23 Sec. 88. Section 422.9, subsection 2, paragraph i, Code
24 2018, is amended to read as follows:

25 *i.* The deduction for state sales and use taxes is allowable
26 only if the taxpayer elected to deduct the state sales and use
27 taxes in lieu of state income taxes under section 164 of the
28 Internal Revenue Code. A deduction for state sales and use
29 taxes is not allowed if the taxpayer has taken the deduction
30 for state income taxes or claimed the standard deduction under
31 section 63 of the Internal Revenue Code. This paragraph
32 applies to taxable years beginning after ~~December 31, 2003, and~~
33 ~~before January 1, 2008, and to taxable years beginning after~~
34 ~~December 31, 2009, and before January 1, 2015~~ December 31,
35 2018.

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1 Sec. 89. Section 422.9, subsection 2, Code 2018, is amended
2 by adding the following new paragraph:
3 NEW PARAGRAPH. *l.* The limitation on the deduction of
4 certain taxes in section 164(b)(6) of the Internal Revenue
5 Code does not apply in computing taxable income for state tax
6 purposes. A taxpayer is allowed to deduct taxes in computing
7 taxable income as otherwise provided in this subsection without
8 regard to section 164(b)(6), as enacted by Pub. L. No. 115-97,
9 §11042.

10 Sec. 90. Section 422.9, subsection 3, paragraph d, Code
11 2018, is amended to read as follows:

12 *d.* Notwithstanding paragraph “*a*”, for a taxpayer who is
13 engaged in the trade or business of farming as defined in
14 section 263A(e)(4) of the Internal Revenue Code and has a loss
15 from farming as defined in section ~~172(b)(1)(F)~~ 172(b)(1)(B) of
16 the Internal Revenue Code including modifications prescribed by
17 rule by the director, the Iowa loss from the trade or business
18 of farming is a net operating loss which may be carried back
19 five taxable years prior to the taxable year of the loss.

20 Sec. 91. Section 422.9, subsection 5, Code 2018, is amended
21 to read as follows:

22 5. A taxpayer affected by section 422.8 shall, ~~if the~~
23 ~~optional standard deduction is not used,~~ be permitted to deduct
24 only such portion of the total referred to in ~~subsection~~
25 subsections 2 above and 2A as is fairly and equitably allocable
26 to Iowa under the rules prescribed by the director.

27 Sec. 92. Section 422.9, subsections 6 and 7, Code 2018, are
28 amended by striking the subsections.

29 Sec. 93. Section 422.10, subsection 3, paragraph b, Code
30 2018, is amended by striking the paragraph.

31 Sec. 94. Section 422.11B, Code 2018, is amended to read as
32 follows:

33 **422.11B Minimum tax credit.**

34 1.a. There is allowed as a credit against the tax
35 determined in section 422.5, subsection 1, ~~paragraphs "a"~~

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1 ~~through "j"~~ for a tax year an amount equal to the minimum tax
2 credit for that tax year.

3 b. The minimum tax credit for a tax year is the excess,
4 if any, of the net minimum tax imposed for all prior tax
5 years beginning on or after January 1, 1987, over the amount
6 allowable as a credit under this section for those prior tax
7 years.

8 2.a. The allowable credit under subsection 1 for a tax
9 year shall not exceed the excess, if any, of the tax determined
10 in section 422.5, subsection 1, ~~paragraphs "a" through "j"~~ over
11 the state alternative minimum tax as determined in section
12 422.5, subsection 2.

13 b. The net minimum tax for a tax year is the excess, if any,
14 of the tax determined in section 422.5, subsection 2, for the
15 tax year over the tax determined in section 422.5, subsection
16 1, ~~paragraphs "a" through "j"~~ for the tax year.

17 Sec. 95. Section 422.32, subsection 1, paragraph h, Code
18 2018, is amended to read as follows:

19 h. *"Internal Revenue Code"* means one of the following:

20 (1) For tax years beginning during the 2019 calendar year,
21 "Internal Revenue Code" means the Internal Revenue Code of
22 1954, prior to the date of its redesignation as the Internal
23 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
24 the Internal Revenue Code of 1986 as amended and in effect on
25 January 1, 2015 March 24, 2018. This definition shall not be
26 construed to include any amendment to the Internal Revenue Code
27 enacted after the date specified in the preceding sentence,
28 including any amendment with retroactive applicability or
29 effectiveness.

30 (2) For tax years beginning on or after January 1, 2020,
31 "Internal Revenue Code" means the Internal Revenue Code of
32 1954, prior to the date of its redesignation as the Internal
33 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
34 Internal Revenue Code of 1986, as amended.

35 Sec. 96. Section 422.33, subsection 1, paragraphs a, b, c,

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1 and d, Code 2018, are amended to read as follows:

2 a. On the first twenty-five thousand dollars of taxable

3 income, or any part thereof, the rate of six percent for tax
4 years beginning prior to January 1, 2021, and the rate of
5 five and one-half percent for tax years beginning on or after
6 January 1, 2021.

7 b. On taxable income between twenty-five thousand dollars
8 and one hundred thousand dollars or any part thereof, the rate
9 of eight percent for tax years beginning prior to January 1,
10 2021, and the rate of five and one-half percent for tax years
11 beginning on or after January 1, 2021.

12 c. On taxable income between one hundred thousand dollars
13 and two hundred fifty thousand dollars or any part thereof, the
14 rate of ten percent for tax years beginning prior to January 1,
15 2021, and the rate of nine percent for tax years beginning on
16 or after January 1, 2021.

17 d. On taxable income of two hundred fifty thousand dollars
18 or more, the rate of twelve percent for tax years beginning
19 prior to January 1, 2021, and the rate of nine and eight-tenths
20 percent for tax years beginning on or after January 1, 2021.

21 Sec. 97. Section 422.33, subsection 4, paragraph a, Code
22 2018, is amended to read as follows:

23 a. In addition to all taxes imposed under this division,
24 there is imposed upon each corporation doing business within
25 the state the greater of the tax determined in subsection 1,
26 paragraphs "a" through "d" or the state alternative minimum tax
27 equal to sixty percent of the maximum state corporate income
28 tax rate for the tax year, rounded to the nearest one-tenth of
29 one percent, of the state alternative minimum taxable income of
30 the taxpayer computed under this subsection.

31 Sec. 98. Section 422.33, subsection 4, paragraph b,
32 subparagraph (1), Code 2018, is amended to read as follows:

33 (1) Add items of tax preference included in federal
34 alternative minimum taxable income under section 57, except
35 subsections (a)(1) and (a)(5), of the Internal Revenue Code,

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1 make the adjustments included in federal alternative minimum
2 taxable income under section 56, except subsections (a)(4) and
3 (d), of the Internal Revenue Code, and add losses as required
4 by section 58 of the Internal Revenue Code. In making the
5 adjustment under section 56(c)(1) of the Internal Revenue Code,
6 interest and dividends from federal securities and interest
7 and dividends from state and other political subdivisions and
8 from regulated investment companies exempt from federal income
9 tax under the Internal Revenue Code, net of amortization of
10 any discount or premium, shall be subtracted. For purposes of
11 this subparagraph, "Internal Revenue Code" means the Internal
12 Revenue Code of 1954, prior to the date of its redesignation
13 as the Internal Revenue Code of 1986 by the Tax Reform Act of
14 1986, or means the Internal Revenue Code of 1986 as amended and
15 in effect on December 21, 2017. This definition shall not be
16 construed to include any amendment to the Internal Revenue Code

17 enacted after the date specified in the preceding sentence,
 18 including any amendment with retroactive applicability or
 19 effectiveness.

20 Sec. 99. Section 422.33, subsection 4, Code 2018, is amended
 21 by adding the following new paragraph:

22 NEW PARAGRAPH. c. This subsection is repealed January 1,
 23 2021, for tax years beginning on or after that date.

24 Sec. 100. Section 422.33, subsection 5, paragraph e,
 25 subparagraph (2), Code 2018, is amended by striking the
 26 subparagraph.

27 Sec. 101. Section 422.33, subsection 7, Code 2018, is
 28 amended to read as follows:

29 7.a.(1) There For tax years beginning before January 1,
 30 2022, there is allowed as a credit against the tax determined
 31 in subsection 1 for a tax year an amount equal to the minimum
 32 tax credit for that tax year.

33 (2) The minimum tax credit for a tax year is the excess,
 34 if any, of the net minimum tax imposed for all prior tax years
 35 beginning on or after January 1, 1987, but before January

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1 1, 2021, over the amount allowable as a credit under this
 2 subsection for those prior tax years.

3 b.(1) The allowable credit under paragraph "a" for a tax
 4 year beginning before January 1, 2021, shall not exceed the
 5 excess, if any, of the tax determined in subsection 1 over
 6 the state alternative minimum tax as determined in subsection
 7 4. The allowable credit under paragraph "a" for a tax year
 8 beginning in the 2021 calendar year shall not exceed the tax
 9 determined in subsection 1.

10 (2) The net minimum tax for a tax year is the excess, if
 11 any, of the tax determined in subsection 4 for the tax year
 12 over the tax determined in subsection 1 for the tax year.

13 c. This subsection is repealed January 1, 2022, for tax
 14 years beginning on or after that date.

15 Sec. 102. Section 422.35, subsection 4, Code 2018, is
 16 amended to read as follows:

17 4.a. Subtract For tax years beginning before January 1,
 18 2022, subtract fifty percent of the federal income taxes paid
 19 or accrued, as the case may be, during the tax year to the
 20 extent payment is for a tax year beginning prior to January 1,
 21 2021, adjusted by any federal income tax refunds; and add the
 22 Iowa income tax deducted in computing said taxable income to
 23 the extent the tax was deducted for a tax year beginning prior
 24 to January 1, 2021.

25 b. Add the Iowa income tax deducted in computing federal
 26 taxable income.

27 Sec. 103. Section 422.35, Code 2018, is amended by adding
 28 the following new subsections:

29 NEW SUBSECTION. 14.a. The increased expensing allowance
 30 under section 179 of the Internal Revenue Code applies in

31 computing net income for state tax purposes for tax years
32 beginning on or after January 1, 2019, subject to the
33 limitations in this subsection for tax years beginning on or
34 after January 1, 2019, but before January 1, 2020.
35 b. If the taxpayer has taken the increased expensing

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1 allowance under section 179 of the Internal Revenue Code for
2 purposes of computing federal taxable income for tax years
3 beginning on or after January 1, 2019, but before January 1,
4 2020, then the taxpayer shall make the following adjustments to
5 federal taxable income when computing net income for state tax
6 purposes for the same tax year:

7 (1) Add the total amount of expense deduction taken on
8 section 179 property allowable for federal tax purposes under
9 section 179 of the Internal Revenue Code.

10 (2) Subtract the amount of expense deduction on section
11 179 property allowable for federal tax purposes under section
12 179 of the Internal Revenue Code, not to exceed one hundred
13 thousand dollars. The subtraction in this subparagraph shall
14 be reduced, but not below zero, by the amount by which the
15 total cost of section 179 property placed in service by the
16 taxpayer during the tax year exceeds four hundred thousand
17 dollars.

18 (3) Any other adjustments to gains or losses necessary to
19 reflect adjustments made in subparagraphs (1) and (2).

20 c. The director shall adopt rules pursuant to chapter 17A
21 to administer this subsection.

22 NEW SUBSECTION. 15.a. For tax years beginning on or
23 after January 1, 2019, but before January 1, 2020, a taxpayer
24 may elect to take advantage of this subsection in lieu of
25 subsection 14, but only if the taxpayer's total expensing
26 allowance deduction for federal tax purposes under section
27 179 of the Internal Revenue Code that is allocated to the
28 taxpayer from one or more partnerships or limited liability
29 companies electing to have the income taxed directly to the
30 owners exceeds one hundred thousand dollars and would, except
31 as provided in this subsection, be limited for purposes
32 of computing net income for state tax purposes pursuant to
33 subsection 14.

34 b. A taxpayer who elects to take advantage of this
35 subsection shall make the following adjustments to federal

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1 taxable income when computing net income for state tax
2 purposes:

3 (1) Add the total amount of section 179 expense deduction
4 allocated to the taxpayer from all partnerships or limited
5 liability companies electing to have the income taxed directly
6 to the owners, to the extent the allocated amount was allowed

7 as a deduction to the taxpayer for federal tax purposes for the
8 tax year under section 179 of the Internal Revenue Code.

9 (2) From the amount added in subparagraph (1), subtract
10 the first one hundred thousand dollars of expensing allowance
11 deduction on section 179 property.

12 (3) The remaining amount, equal to the difference between
13 the amount added in subparagraph (1), and the amount subtracted
14 in subparagraph (2), may be deducted by the taxpayer but such
15 deduction shall be amortized equally over five tax years
16 beginning in the following tax year.

17 (4) Any other adjustments to gains or losses necessary to
18 reflect adjustments made in subparagraphs (1) through (3).

19 c. A taxpayer who elects to take advantage of this
20 subsection shall not take the increased expensing allowance
21 under section 179 of the Internal Revenue Code for any section
22 179 property placed in service by the taxpayer in computing
23 taxable income for state tax purposes. If the taxpayer has
24 taken any such deduction for purposes of computing federal
25 taxable income, the taxpayer shall make the following
26 adjustments to federal taxable income when computing net income
27 for state tax purposes:

28 (1) Add the total amount of expense deduction for federal
29 tax purposes taken on section 179 property placed in service by
30 the taxpayer under section 179 of the Internal Revenue Code.

31 (2) Subtract the amount of depreciation allowable on such
32 property under the modified accelerated cost recovery system
33 described in section 168 of the Internal Revenue Code, without
34 regard to section 168(k) of the Internal Revenue Code. The
35 taxpayer shall continue to take depreciation on the applicable

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1 property in future tax years to the extent allowed under the
2 modified accelerated cost recovery system described in section
3 168 of the Internal Revenue Code, without regard to section
4 168(k) of the Internal Revenue Code.

5 (3) Any other adjustments to gains or losses necessary to
6 reflect the adjustments made in subparagraphs (1) and (2).

7 d. The director shall adopt rules pursuant to chapter 17A
8 to administer this subsection.

9 Sec. 104. Section 422.35, subsection 19A, unnumbered
10 paragraph 1, Code 2018, is amended by striking the unnumbered
11 paragraph and inserting in lieu thereof the following:

12 The additional first-year depreciation allowance authorized
13 in section 168(k) of the Internal Revenue Code does not
14 apply in computing net income for state tax purposes. If the
15 taxpayer has taken the additional first-year depreciation
16 allowance for purposes of computing federal taxable income,
17 then the taxpayer shall make the following adjustments to
18 federal taxable income when computing net income for state tax
19 purposes:

20 Sec. 105.EFFECTIVE DATE. This division of this Act takes

21 effect January 1, 2019.

22 Sec. 106.APPLICABILITY. This division of this Act applies
23 to tax years beginning on or after January 1, 2019.

24 DIVISION IX

25 FUTURE CONTINGENT INCOME AND CORPORATE TAX AND FRANCHISE TAX
26 CHANGES

27 Sec. 107. Section 12D.9, subsection 2, Code 2018, is amended
28 to read as follows:

29 2. State income tax treatment of the Iowa educational
30 savings plan trust shall be as provided in section 422.7,
31 subsections 18, 32, and 33.

32 Sec. 108. Section 217.39, Code 2018, is amended to read as
33 follows:

34 **217.39 Persecuted victims of World War II — reparations —**
35 **heirs.**

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1 Notwithstanding any other law of this state, payments paid
2 to and income from lost property of a victim of persecution
3 for racial, ethnic, or religious reasons by Nazi Germany or
4 any other Axis regime or as an heir of such victim which is
5 ~~exempt from state income tax as provided described~~ in section
6 422.7, subsection 35, Code 2018, shall not be considered as
7 income or an asset for determining the eligibility for state or
8 local government benefit or entitlement programs. The proceeds
9 are not subject to recoupment for the receipt of governmental
10 benefits or entitlements, and liens, except liens for child
11 support, are not enforceable against these sums for any reason.

12 Sec. 109. Section 422.4, subsection 1, paragraphs b and c,
13 Code 2018, are amended to read as follows:

14 b. "*Cumulative inflation factor*" means the product of the
15 annual inflation factor for the ~~1988~~ calendar year beginning on
16 January 1 of the calendar year that this division of this Act
17 takes effect and all annual inflation factors for subsequent
18 calendar years as determined pursuant to this subsection. The
19 cumulative inflation factor applies to all tax years beginning
20 on or after January 1 of the calendar year for which the latest
21 annual inflation factor has been determined.

22 c. The annual inflation factor for the ~~1988~~ calendar year
23 beginning on January 1 of the calendar year that this division
24 of this Act takes effect is one hundred percent.

25 Sec. 110. Section 422.4, subsection 2, Code 2018, is amended
26 by striking the subsection.

27 Sec. 111. Section 422.4, subsection 16, Code 2018, is
28 amended by striking the subsection and inserting in lieu
29 thereof the following:

30 16. "*Taxable income*" means, in the case of individuals,
31 the net income as defined in section 422.7 minus the deduction
32 allowed by section 422.9, if available. "*Taxable income*" means,
33 in the case of estates or trusts, the taxable income without
34 a deduction for personal exemption as computed for federal

35 income tax purposes under the Internal Revenue Code, but with

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1 the adjustments specified in section 422.7, and the deduction
2 allowed by section 422.9, if available.

3 Sec. 112. Section 422.5, subsection 1, paragraph j,
4 subparagraph (2), subparagraph division (b), Code 2018, is
5 amended to read as follows:

6 (b) This subparagraph (2) shall not affect the amount of
7 the taxpayer's checkoffs under this division, the credits from
8 tax provided under this division, and the allocation of these
9 credits between spouses if the taxpayers filed separate returns
10 ~~or separately on combined returns.~~

11 Sec. 113. Section 422.5, subsection 2, Code 2018, is amended
12 by striking the subsection.

13 Sec. 114. Section 422.5, subsections 3 and 3B, Code 2018,
14 are amended to read as follows:

15 3.a. The tax shall not be imposed on a resident or
16 nonresident whose net income, as defined in section 422.7, is
17 thirteen thousand five hundred dollars or less in the case
18 of married persons filing jointly ~~or filing separately on a~~
19 ~~combined return~~, heads of household, and surviving spouses or
20 nine thousand dollars or less in the case of all other persons;
21 but in the event that the payment of tax under this division
22 would reduce the net income to less than thirteen thousand five
23 hundred dollars or nine thousand dollars as applicable, then
24 the tax shall be reduced to that amount which would result
25 in allowing the taxpayer to retain a net income of thirteen
26 thousand five hundred dollars or nine thousand dollars as
27 applicable. The preceding sentence does not apply to estates
28 or trusts. For the purpose of this subsection, the entire net
29 income, including any part of the net income not allocated
30 to Iowa, shall be taken into account. For purposes of this
31 subsection, net income includes all amounts of pensions or
32 other retirement income, except for military retirement pay
33 excluded under section 422.7, subsection 31A, paragraph "a",
34 or section 422.7, subsection 31B, paragraph "a", received from
35 any source which is not taxable under this division as a result

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1 of the government pension exclusions in section 422.7, or any
2 other state law. In calculating net income for purposes of
3 this subsection, any amount of itemized or standard deduction,
4 personal exemption deduction, or qualified business income
5 deduction that was allowed as a deduction in computing federal
6 taxable income under the Internal Revenue Code shall be added
7 back. If the combined net income of a husband and wife exceeds
8 thirteen thousand five hundred dollars, neither of them shall
9 receive the benefit of this subsection, and it is immaterial
10 whether they file a joint return or separate returns. However,

11 if a husband and wife file separate returns and have a combined
12 net income of thirteen thousand five hundred dollars or less,
13 neither spouse shall receive the benefit of this paragraph,
14 if one spouse has a net operating loss and elects to carry
15 back or carry forward the loss as provided under the Internal
16 Revenue Code or in section 422.9, ~~subsection 3~~. A person who
17 is claimed as a dependent by another person as defined in
18 section 422.12 shall not receive the benefit of this subsection
19 if the person claiming the dependent has net income exceeding
20 thirteen thousand five hundred dollars or nine thousand dollars
21 as applicable or the person claiming the dependent and the
22 person's spouse have combined net income exceeding thirteen
23 thousand five hundred dollars or nine thousand dollars as
24 applicable.

25 *b.* In lieu of the computation in subsection 1 ~~or 2~~, or in
26 paragraph "a" of this subsection, if the married persons',
27 ~~filing jointly or filing separately on a combined return,~~
28 head of household's, or surviving spouse's net income exceeds
29 thirteen thousand five hundred dollars, the regular tax imposed
30 under this division shall be the lesser of the maximum state
31 individual income tax rate times the portion of the net income
32 in excess of thirteen thousand five hundred dollars or the
33 regular tax liability computed without regard to this sentence.
34 Taxpayers electing to file separately shall compute the
35 alternate tax described in this paragraph using the total net

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1 income of the husband and wife. The alternate tax described
2 in this paragraph does not apply if one spouse elects to carry
3 back or carry forward ~~the a net operating~~ loss as provided
4 under the Internal Revenue Code or in section 422.9, ~~subsection~~
5 ~~3~~.

6 *3B.a.* The tax shall not be imposed on a resident or
7 nonresident who is at least sixty-five years old on December
8 31 of the tax year and whose net income, as defined in section
9 422.7, is thirty-two thousand dollars or less in the case
10 of married persons filing jointly ~~or filing separately on a~~
11 ~~combined return~~, heads of household, and surviving spouses or
12 twenty-four thousand dollars or less in the case of all other
13 persons; but in the event that the payment of tax under this
14 division would reduce the net income to less than thirty-two
15 thousand dollars or twenty-four thousand dollars as applicable,
16 then the tax shall be reduced to that amount which would result
17 in allowing the taxpayer to retain a net income of thirty-two
18 thousand dollars or twenty-four thousand dollars as applicable.
19 The preceding sentence does not apply to estates or trusts.
20 For the purpose of this subsection, the entire net income,
21 including any part of the net income not allocated to Iowa,
22 shall be taken into account. For purposes of this subsection,
23 net income includes all amounts of pensions or other retirement
24 income, except for military retirement pay excluded under

25 section 422.7, subsection 31A, paragraph “a”, or section 422.7,
26 subsection 31B, paragraph “a”, received from any source which is
27 not taxable under this division as a result of the government
28 pension exclusions in section 422.7, or any other state law.
29 In calculating net income for purposes of this subsection, any
30 amount of itemized or standard deduction, personal exemption
31 deduction, or qualified business income deduction that was
32 allowed as a deduction in computing federal taxable income
33 under the Internal Revenue Code shall be added back. If the
34 combined net income of a husband and wife exceeds thirty-two
35 thousand dollars, neither of them shall receive the benefit

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1 of this subsection, and it is immaterial whether they file a
2 joint return or separate returns. However, if a husband and
3 wife file separate returns and have a combined net income of
4 thirty-two thousand dollars or less, neither spouse shall
5 receive the benefit of this paragraph, if one spouse has a net
6 operating loss and elects to carry back or carry forward the
7 loss as provided under the Internal Revenue Code or in section
8 ~~422.9, subsection 3.~~ A person who is claimed as a dependent by
9 another person as defined in section 422.12 shall not receive
10 the benefit of this subsection if the person claiming the
11 dependent has net income exceeding thirty-two thousand dollars
12 or twenty-four thousand dollars as applicable or the person
13 claiming the dependent and the person’s spouse have combined
14 net income exceeding thirty-two thousand dollars or twenty-four
15 thousand dollars as applicable.

16 b. In lieu of the computation in subsection 1, ~~2,~~ or 3, if
17 the married persons’, filing jointly ~~or filing separately on~~
18 ~~a combined return,~~ head of household’s, or surviving spouse’s
19 net income exceeds thirty-two thousand dollars, the regular
20 tax imposed under this division shall be the lesser of the
21 maximum state individual income tax rate times the portion of
22 the net income in excess of thirty-two thousand dollars or the
23 regular tax liability computed without regard to this sentence.
24 Taxpayers electing to file separately shall compute the
25 alternate tax described in this paragraph using the total net
26 income of the husband and wife. The alternate tax described
27 in this paragraph does not apply if one spouse elects to carry
28 back or carry forward the a net operating loss as provided
29 under the Internal Revenue Code or in section 422.9, ~~subsection~~
30 ~~3.~~

31 c. This subsection applies even though one spouse has not
32 attained the age of sixty-five, if the other spouse is at least
33 sixty-five at the end of the tax year.

34 Sec. 115. Section 422.5A, as enacted in this Act, Code
35 2018, is amended by striking the section and inserting in lieu

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1 thereof the following:

2 **422.5A Tax rates.**

3 1. The tax imposed in section 422.5 shall be calculated
4 at the following rates in the case of a married couple filing
5 jointly:

6 a. On all taxable income from 0 through \$12,000, the rate of
7 4.40 percent.

8 b. On all taxable income exceeding \$12,000 but not exceeding
9 \$60,000, the rate of 4.82 percent.

10 c. On all taxable income exceeding \$60,000 but not exceeding
11 \$150,000, the rate of 5.70 percent.

12 d. On all taxable income exceeding \$150,000, the rate of
13 6.50 percent.

14 2. The tax imposed in section 422.5 shall be calculated at
15 the following rates in the case of any taxpayer other than a
16 married couple filing jointly:

17 a. On all taxable income from 0 through \$6,000, the rate of
18 4.40 percent.

19 b. On all taxable income exceeding \$6,000 but not exceeding
20 \$30,000, the rate of 4.82 percent.

21 c. On all taxable income exceeding \$30,000 but not exceeding
22 \$75,000, the rate of 5.70 percent.

23 d. On all taxable income exceeding \$75,000, the rate of 6.50
24 percent.

25 Sec. 116. Section 422.7, unnumbered paragraph 1, Code 2018,
26 is amended to read as follows:

27 The term "*net income*" means the ~~adjusted gross income before~~
28 ~~the net operating loss deduction~~ taxable income as properly
29 computed for federal income tax purposes under section 63 of
30 the Internal Revenue Code, with the following adjustments:

31 Sec. 117. Section 422.7, Code 2018, is amended by adding the
32 following new subsections:

33 NEW SUBSECTION. 4. Add any federal net operating loss
34 deduction carried over from a taxable year beginning prior to
35 January 1 of the calendar year that this division of this Act

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1 takes effect.

2 NEW SUBSECTION. 6.a. For tax years beginning in the
3 calendar year that this division of this Act takes effect,
4 subtract the amount of federal income taxes paid during the
5 tax year to the extent payment is for a tax year beginning
6 prior to January 1 of the calendar year that this division of
7 this Act takes effect, and add any federal income tax refunds
8 received during the tax year to the extent the federal income
9 tax was deducted for a tax year beginning prior to January 1 of
10 the calendar year that this division of this Act takes effect.

11 Where married persons who have filed a joint federal income
12 tax return file separately for state tax purposes, such total

13 shall be divided between them according to the portion of the
 14 total paid by each. Federal income taxes paid for a tax year
 15 in which an Iowa return was not required to be filed shall not
 16 be subtracted.

17 *b.* Notwithstanding any other provision of law to the
 18 contrary, amounts subtracted or added pursuant to this
 19 subsection shall not be included in the calculation of net
 20 income for purposes of section 422.5, subsection 3 or 3B, or
 21 section 422.13.

22 Sec. 118. Section 422.7, subsection 5, Code 2018, is amended
 23 to read as follows:

24 5. Individual taxpayers and married taxpayers who file a
 25 joint federal income tax return and who elect to file a joint
 26 return; ~~or separate returns, or separate filing on a combined~~
 27 ~~return~~ for Iowa income tax purposes, may avail themselves of
 28 the disability income exclusion and shall compute the amount
 29 of the disability income exclusion subject to the limitations
 30 for joint federal income tax return filers provided by section
 31 105(d) of the Internal Revenue Code. The disability income
 32 exclusion provided in section 105(d) of the Internal Revenue
 33 Code, as amended up to and including December 31, 1982,
 34 continues to apply for state income tax purposes for tax years
 35 beginning on or after January 1, 1984.

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1 Sec. 119. Section 422.7, subsection 13, Code 2018, is
 2 amended by striking the subsection and inserting in lieu
 3 thereof the following:

4 13. Subtract, to the extent included, the amount of social
 5 security benefits taxable under section 86 of the Internal
 6 Revenue Code.

7 Sec. 120. Section 422.7, Code 2018, is amended by adding the
 8 following new subsections:

9 NEW SUBSECTION. 18. Add, to the extent deducted for federal
 10 tax purposes, charitable contributions under section 170 of
 11 the Internal Revenue Code to the extent such contribution was
 12 made to an organization for the purpose of deposit in the Iowa
 13 education savings plan trust established in chapter 12D, and
 14 the taxpayer designated that any part of the contribution be
 15 used for the direct benefit of any dependent of the taxpayer or
 16 any other single beneficiary designated by the taxpayer.

17 NEW SUBSECTION. 19.a. Subtract, to the extent included,
 18 income resulting from the payment by an employer of the
 19 taxpayer, whether paid to the taxpayer or to a lender, of
 20 principal or interest on any qualified education loan incurred
 21 by the taxpayer.

22 *b.* If the taxpayer has a deduction in computing federal
 23 taxable income under section 221 of the Internal Revenue Code
 24 for interest on a qualified education loan, the taxpayer shall
 25 recompute for purposes of this subsection the amount of the
 26 deduction under paragraph "a" by not subtracting any amount of

27 income resulting from the employer's payment of interest on a
28 qualified education loan that was also deducted by the taxpayer
29 under section 221 of the Internal Revenue Code.

30 c. For purposes of this subsection, "*qualified education*
31 *loan*" means the same as defined in section 221 of the Internal
32 Revenue Code.

33 Sec. 121. Section 422.7, subsection 21, Code 2018, is
34 amended by striking the subsection and inserting in lieu
35 thereof the following:

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1 21.a. For purposes of this subsection:

2 (1) "*Farming business*" means the raising and harvesting
3 of crops or forest or fruit trees, the rearing, feeding, and
4 management of livestock, or horticulture, all for intended
5 profit.

6 (2) "*Held*" shall be determined with reference to the holding
7 period provisions of section 1223 of the Internal Revenue Code
8 and the federal regulations pursuant thereto.

9 (3) "*Materially participated*" means the same as "*material*
10 *participation*" in section 469(h) of the Internal Revenue Code.

11 (4)(a) "*Real property used in a farming business*" means all
12 tracts of land and the improvements and structures located on
13 them which are in good faith used primarily for agricultural
14 purposes except buildings which are primarily used or intended
15 for human habitation. Land and the nonresidential improvements
16 and structures located on it shall be considered to be used
17 primarily for agricultural purposes if its principal use is
18 devoted to the raising and harvesting of crops or forest or
19 fruit trees, the rearing, feeding, and management of livestock,
20 or horticulture, all for intended profit. Woodland, wasteland,
21 and pastureland shall qualify but only if such land is held or
22 operated in conjunction with real property that otherwise meets
23 the requirements of this paragraph.

24 (b) Real property classified as agricultural property for
25 Iowa property tax purposes, except real property described
26 in section 441.21, subsection 12, paragraphs "a" or "b",
27 shall be presumed to be real property used in a farming
28 business. This presumption is rebuttable by the department by
29 a preponderance of evidence that the real property did not meet
30 the requirements of subparagraph division (a).

31 (5) "*Relative*" means an individual that satisfies one or
32 more of the following conditions:

33 (a) The individual is related to the taxpayer by
34 consanguinity within the second degree as determined by common
35 law.

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1 (b) The individual is a lineal descendent of the taxpayer.
2 For purposes of this subparagraph division, "*lineal descendent*"

3 means children of the taxpayer, including legally adopted
4 children and biological children, stepchildren, grandchildren,
5 great-grandchildren, and any other lineal descendent of the
6 taxpayer.

7 b. Subtract the net capital gain from the sale of real
8 property used in a farming business if all of the following
9 conditions are satisfied:

10 (1) The taxpayer has materially participated in the farming
11 business for a minimum of ten years immediately preceding the
12 sale.

13 (2) The taxpayer has held the real property used in a
14 farming business for a minimum of ten years immediately
15 preceding the sale.

16 (3) The real property used in a farming business is sold to
17 a relative of the taxpayer.

18 c.(1) If the relative to whom the taxpayer sold the
19 real property used in a farming business that qualified
20 for the deduction in this subsection subsequently sells or
21 otherwise transfers all or part of said real property to a
22 person who is not a relative of the taxpayer within five years
23 of the original sale, the subsequent sale or transfer shall
24 be considered prima facie evidence that the original sale
25 was entered into by the taxpayer primarily to obtain the tax
26 benefits provided in this subsection, and the deduction under
27 this subsection for the original sale shall be disallowed for
28 the taxpayer with respect to that real property subsequently
29 sold or transferred by the relative.

30 (2) The prima facie determination in subparagraph (1) may be
31 rebutted by the taxpayer by a preponderance of evidence showing
32 that at the time of the original sale by the taxpayer of the
33 real property used in a farming business, all of the following
34 conditions were satisfied:

35 (a) The taxpayer had a substantial purpose for entering into

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1 the sale transaction apart from the state tax benefits.

2 (b) The taxpayer did not intend that the real property would
3 subsequently be sold or transferred to a person who is not a
4 relative of the taxpayer.

5 (c) The taxpayer had no actual or constructive knowledge of
6 the buyer's intent to subsequently sell or transfer the real
7 property to a person who is not a relative of the taxpayer.

8 (3) Notwithstanding section 422.25, subsection 1, paragraph
9 "a", the period of limitation for examination and determination
10 of tax with regard to the deduction provided in this subsection
11 shall be one of the following dates, whichever occurs later:

12 (a) The date which is three years after the date that the
13 return upon which the deduction in this subsection is claimed
14 is filed.

15 (b) The date which is three years after the date that the
16 return upon which the deduction in this subsection is claimed

17 is due, including any extensions.

18 (c) The date which is six years after the date of the sale
19 of the real property used in a farming business for which the
20 deduction in this subsection is claimed.

21 *d.* To the extent otherwise allowed, the deduction provided
22 in this subsection is not allowed for purposes of computing the
23 income for the taxable year or years for which a net operating
24 loss is deducted under the Internal Revenue Code or under
25 subsection 422.9.

26 Sec. 122. Section 422.7, subsection 29, Code 2018, is
27 amended to read as follows:

28 29.a. Subtract For a taxpayer who is sixty-five years
29 of age or older and whose net income is less than one hundred
30 thousand dollars, subtract, to the extent not otherwise
31 deducted in computing ~~adjusted gross~~ federal taxable income,
32 the amounts paid by the taxpayer for the purchase of health
33 benefits coverage or insurance for the taxpayer or taxpayer's
34 spouse or dependent.

35 *b.* For purposes of this subsection, "*net income*" means net

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1 income as properly computed under this section without regard
2 to the deduction in this subsection and with the following
3 additional adjustments:

4 (1) Add back any amount of pensions or other retirement
5 income received from any source which is not taxable under this
6 division, including but not limited to amounts deductible under
7 subsections 13, 31, 31A, and 31B.

8 (2) Add back any amount of itemized or standard deduction,
9 personal exemption deduction, or qualified business income
10 deduction that was allowed as a deduction from federal adjusted
11 gross income in computing federal taxable income under the
12 Internal Revenue Code.

13 Sec. 123. Section 422.7, subsection 31, Code 2018, is
14 amended to read as follows:

15 31. For a person who is disabled, or is fifty-five years of
16 age or older, or is the surviving spouse of an individual or
17 a survivor having an insurable interest in an individual who
18 would have qualified for the exemption under this subsection
19 for the tax year, subtract, to the extent included, the
20 total amount of a governmental or other pension or retirement
21 pay, including, but not limited to, defined benefit or
22 defined contribution plans, annuities, individual retirement
23 accounts, plans maintained or contributed to by an employer,
24 or maintained or contributed to by a self-employed person as
25 an employer, and deferred compensation plans or any earnings
26 attributable to the deferred compensation plans, up to a
27 maximum of six thousand dollars for a person, other than a
28 husband or wife, who files a separate state income tax return
29 and up to a maximum of twelve thousand dollars for a husband
30 and wife who file a joint state income tax return. However, a

31 surviving spouse who is not disabled or fifty-five years of age
 32 or older can only exclude the amount of pension or retirement
 33 pay received as a result of the death of the other spouse. A
 34 husband and wife filing separate state income tax returns ~~or~~
 35 ~~separately on a combined state return~~ are allowed a combined

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1 maximum exclusion under this subsection of up to twelve
 2 thousand dollars. The twelve thousand dollar exclusion shall
 3 be allocated to the husband or wife in the proportion that each
 4 spouse's respective pension and retirement pay received bears
 5 to total combined pension and retirement pay received.

6 Sec. 124. Section 422.7, subsection 41, Code 2018, is
 7 amended by adding the following new paragraph:
 8 NEW PARAGRAPH. *Oe.* Add, to the extent deducted for
 9 federal tax purposes, interest, taxes, and other miscellaneous
 10 expenses to the extent such amounts are eligible home costs
 11 in connection with a qualified home purchase that were paid
 12 or reimbursed from funds in a first-time homebuyer savings
 13 account.

14 Sec. 125. Section 422.7, subsection 47, Code 2018, is
 15 amended to read as follows:

16 47. Subtract, to the extent not otherwise deducted in
 17 computing ~~adjusted gross~~ federal taxable income, the amounts
 18 paid by the taxpayer to the department of veterans affairs for
 19 the purpose of providing grants under the injured veterans
 20 grant program established in section 35A.14. Amounts
 21 subtracted under this subsection shall not be used by the
 22 taxpayer in computing the amount of charitable contributions as
 23 defined by section 170 of the Internal Revenue Code.

24 Sec. 126. Section 422.7, subsections 3, 7, 8, 9, 10, 11, 14,
 25 15, 16, 20, 22, 24, 25, 26, 30, 35, 36, 37, 39, 39B, 40, 43, 45,
 26 49, 53, 55, 56, 57, and 58, Code 2018, are amended by striking
 27 the subsections.

28 Sec. 127. Section 422.8, subsection 4, Code 2018, is amended
 29 by striking the subsection.

30 Sec. 128. Section 422.9, Code 2018, is amended by striking
 31 the section and inserting in lieu thereof the following:

32 **422.9 Carry over of Iowa net operating loss.**

33 Any Iowa net operating loss carried over from a taxable year
 34 beginning prior to January 1 of the calendar year that this
 35 division of this Act takes effect may be deducted as provided

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1 in section 422.9, subsection 3, Code 2018.

2 Sec. 129. Section 422.11B, Code 2018, is amended to read as
 3 follows:

4 **422.11B Minimum tax credit.**

5 1.a. There For tax years beginning before January 1 of the
 6 calendar year following the calendar year that this division

7 of this Act takes effect, there is allowed as a credit against
 8 the tax determined in section 422.5, subsection 1, ~~paragraphs~~
 9 ~~“a” through “j”~~ for a tax year an amount equal to the minimum
 10 tax credit for that tax year.

11 *b.* The minimum tax credit for a tax year is the excess, if
 12 any, of the net minimum tax imposed for all prior tax years
 13 beginning on or after January 1, 1987, but before January 1 of
 14 the calendar year that this division of this Act takes effect,
 15 over the amount allowable as a credit under this section for
 16 those prior tax years.

17 *2.a.* The allowable credit under subsection 1 for a tax
 18 year beginning before January 1 of the calendar year that this
 19 division of this Act takes effect shall not exceed the excess,
 20 if any, of the tax determined in section 422.5, subsection
 21 1, ~~paragraphs “a” through “j”~~ over the state alternative
 22 minimum tax as determined in section 422.5, subsection 2, Code
 23 2018. The allowable credit under subsection 1 for a tax year
 24 beginning in the calendar year that this division of this Act
 25 takes effect shall not exceed the tax determined under section
 26 422.5, subsection 1.

27 *b.* The net minimum tax for a tax year is the excess, if
 28 any, of the tax determined in section 422.5, subsection 2,
 29 Code 2018, for the tax year over the tax determined in section
 30 422.5, subsection 1, ~~paragraphs “a” through “j”~~ for the tax
 31 year.

32 *3.* This section is repealed January 1 of the calendar year
 33 following the calendar year that this division of this Act
 34 takes effect, for tax years beginning on or after January 1
 35 of the calendar year following the calendar year that this

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1 division of this Act takes effect.

2 Sec. 130. Section 422.11S, subsection 4, Code 2018, is
 3 amended to read as follows:

4 4. Married taxpayers who file separate returns ~~or file~~
 5 ~~separately on a combined return form~~ must determine the tax
 6 credit under subsection 1 based upon their combined net income
 7 and allocate the total credit amount to each spouse in the
 8 proportion that each spouse's respective net income bears to
 9 the total combined net income. Nonresidents or part-year
 10 residents of Iowa must determine their tax credit in the ratio
 11 of their Iowa source net income to their all source net income.
 12 Nonresidents or part-year residents who are married and elect
 13 to file separate returns ~~or to file separately on a combined~~
 14 ~~return form~~ must allocate the tax credit between the spouses
 15 in the ratio of each spouse's Iowa source net income to the
 16 combined Iowa source net income of the taxpayers.

17 Sec. 131. Section 422.12B, subsection 2, Code 2018, is
 18 amended to read as follows:

19 2. Married taxpayers electing to file separate returns ~~or~~
 20 ~~filing separately on a combined return~~ may avail themselves

21 of the earned income credit by allocating the earned income
 22 credit to each spouse in the proportion that each spouse's
 23 respective earned income bears to the total combined earned
 24 income. Taxpayers affected by the allocation provisions of
 25 section 422.8 shall be permitted a deduction for the credit
 26 only in the amount fairly and equitably allocable to Iowa under
 27 rules prescribed by the director.

28 Sec. 132. Section 422.12C, subsection 4, Code 2018, is
 29 amended to read as follows:

30 4. Married taxpayers who have filed joint federal returns
 31 electing to file separate returns ~~or to file separately on a~~
 32 ~~combined return form~~ must determine the child and dependent
 33 care credit under subsection 1 or the early childhood
 34 development tax credit under subsection 2 based upon their
 35 combined net income and allocate the total credit amount to

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1 each spouse in the proportion that each spouse's respective net
 2 income bears to the total combined net income. Nonresidents
 3 or part-year residents of Iowa must determine their Iowa child
 4 and dependent care credit in the ratio of their Iowa source
 5 net income to their all source net income. Nonresidents or
 6 part-year residents who are married and elect to file separate
 7 returns ~~or to file separately on a combined return form~~ must
 8 allocate the Iowa child and dependent care credit between the
 9 spouses in the ratio of each spouse's Iowa source net income to
 10 the combined Iowa source net income of the taxpayers.

11 Sec. 133. Section 422.13, subsection 1, paragraph c, Code
 12 2018, is amended by striking the paragraph.

13 Sec. 134. Section 422.16, subsection 1, paragraph f, Code
 14 2018, is amended by striking the paragraph.

15 Sec. 135. Section 422.21, subsections 2, 5, and 7, Code
 16 2018, are amended to read as follows:

17 2. An individual in the armed forces of the United States
 18 serving in an area designated by the president of the United
 19 States or the United States Congress as a combat zone or as a
 20 qualified hazardous duty area, or deployed outside the United
 21 States away from the individual's permanent duty station while
 22 participating in an operation designated by the United States
 23 secretary of defense as a contingency operation as defined
 24 in 10 U.S.C. §101(a)(13), or which became such a contingency
 25 operation by the operation of law, or an individual serving in
 26 support of those forces, is allowed the same additional time
 27 period after leaving the combat zone or the qualified hazardous
 28 duty area, or ceasing to participate in such contingency
 29 operation, or after a period of continuous hospitalization, to
 30 file a state income tax return or perform other acts related
 31 to the department, as would constitute timely filing of the
 32 return or timely performance of other acts described in section
 33 7508(a) of the Internal Revenue Code. An individual on active
 34 duty federal military service in the armed forces, armed forces

35 military reserve, or national guard who is deployed outside

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1 the United States in other than a combat zone, qualified
 2 hazardous duty area, or contingency operation is allowed the
 3 same additional period of time described in section 7508(a)
 4 of the Internal Revenue Code to file a state income tax
 5 return or perform other acts related to the department. For
 6 the purposes of this subsection, “*other acts related to the*
 7 *department*” includes filing claims for refund for any tax
 8 administered by the department, making tax payments other than
 9 withholding payments, filing appeals on the tax matters, filing
 10 other tax returns, and performing other acts described in the
 11 department’s rules. The additional time period allowed applies
 12 to the spouse of the individual described in this subsection
 13 to the extent the spouse files jointly ~~or separately on the~~
 14 ~~combined return form~~ with the individual or when the spouse
 15 is a party with the individual to any matter for which the
 16 additional time period is allowed.

17 5. The director shall determine for the ~~1989~~ calendar year
 18 that this division of this Act takes effect and each subsequent
 19 calendar year the annual and cumulative inflation factors for
 20 each calendar year to be applied to tax years beginning on or
 21 after January 1 of that calendar year. The director shall
 22 compute the new dollar amounts as specified to be adjusted in
 23 section 422.5 by the latest cumulative inflation factor and
 24 round off the result to the nearest one dollar. The annual and
 25 cumulative inflation factors determined by the director are not
 26 rules as defined in section 17A.2, subsection 11. ~~The director~~
 27 ~~shall determine for the 1990 calendar year and each subsequent~~
 28 ~~calendar year the annual and cumulative standard deduction~~
 29 ~~factors to be applied to tax years beginning on or after~~
 30 ~~January 1 of that calendar year. The director shall compute~~
 31 ~~the new dollar amounts of the standard deductions specified in~~
 32 ~~section 422.9, subsection 1, by the latest cumulative standard~~
 33 ~~deduction factor and round off the result to the nearest ten~~
 34 ~~dollars. The annual and cumulative standard deduction factors~~
 35 ~~determined by the director are not rules as defined in section~~

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1 ~~17A.2, subsection 11.~~
 2 7. If married taxpayers file a joint return ~~or file~~
 3 ~~separately on a combined return~~ in accordance with rules
 4 prescribed by the director, both spouses are jointly and
 5 severally liable for the total tax due on the return, except
 6 when one spouse is considered to be an innocent spouse under
 7 criteria established pursuant to section 6015 of the Internal
 8 Revenue Code.
 9 Sec. 136. Section 422.35, unnumbered paragraph 1, Code
 10 2018, is amended to read as follows:

11 The term “*net income*” means the taxable income before the
 12 ~~net operating loss deduction~~, as properly computed for federal
 13 income tax purposes under the Internal Revenue Code, with the
 14 following adjustments:

15 Sec. 137. Section 422.35, subsection 11, Code 2018, is
 16 amended by striking the subsection and inserting in lieu
 17 thereof the following:

18 11.a. Add any federal net operating loss deduction carried
 19 over from a taxable year beginning prior to January 1 of the
 20 calendar year that this division of this Act takes effect.

21 b. Any Iowa net operating loss carried over from a taxable
 22 year beginning prior to January 1 of the calendar year that
 23 this division of this Act takes effect may be deducted as
 24 provided in section 422.35, subsection 11, Code 2018.

25 Sec. 138. Section 422.35, subsections 3, 4, 5, 7, 8, 10,
 26 16, 17, 18, 19, 19B, 20, 22, and 24, Code 2018, are amended by
 27 striking the subsections.

28 Sec. 139. Section 541B.3, subsection 1, paragraph b, Code
 29 2018, is amended to read as follows:

30 b. A married couple electing to file a joint Iowa individual
 31 income tax return may establish a joint first-time homebuyer
 32 savings account. Married taxpayers electing to file separate
 33 tax returns ~~or separately on a combined tax return~~ for Iowa tax
 34 purposes shall not establish or maintain a joint first-time
 35 homebuyer savings account.

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1 Sec. 140. Section 541B.6, Code 2018, is amended to read as
 2 follows:

3 **541B.6 Tax considerations.**

4 The state income tax treatment of a first-time homebuyer
 5 savings account shall be as provided in section 422.7,
 6 subsection 41, ~~and section 422.9, subsection 2, paragraph “k”.~~

7 Sec. 141. CONTINGENT EFFECTIVE DATE — NET GENERAL FUND
 8 REVENUES CALCULATION — ANNUAL REPORTS.

9 1. This division of this Act takes effect on January 1,
 10 2023, if both of the following conditions are satisfied:

11 a. The net general fund revenues for the fiscal year ending
 12 June 30, 2022, equal or exceed eight billion three hundred
 13 fourteen million six hundred thousand dollars.

14 b. The net general fund revenues for the fiscal year ending
 15 June 30, 2022, equal or exceed one hundred and four percent of
 16 the net general fund revenues for the fiscal year ending June
 17 30, 2021.

18 2. If the provisions of subsection 1 are not satisfied
 19 and this division of this Act does not take effect on January
 20 1, 2023, then this division of this Act shall take effect on
 21 January 1 following the first fiscal year for which both of the
 22 following conditions are satisfied:

23 a. The net general fund revenues for that fiscal year ending
 24 June 30 equal or exceed eight billion three hundred fourteen

25 million six hundred thousand dollars.
26 b. The net general fund revenues for that fiscal year ending
27 June 30 equal or exceed one hundred and four percent of the
28 net general fund revenues for the fiscal year ending June 30
29 immediately preceding that fiscal year.
30 3.a. For purposes of this section, “net general fund
31 revenues” means total appropriated general fund revenues
32 excluding transfers from reserve funds, less the sum of tax and
33 other refunds and school infrastructure transfers, all made on
34 an accrual basis as computed for purposes of the comprehensive
35 annual financial reports of the state.

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1 b. Net general fund revenues shall be calculated by
2 the department of management, in consultation with the
3 department of revenue, for each fiscal year beginning on
4 or after July 1, 2020, until such time as this division of
5 this Act takes effect, in accordance with rules adopted by
6 the department of management. The department of management
7 shall adopt rules pursuant to chapter 17A for calculating net
8 general fund revenues as defined in paragraph “a”, including
9 rules defining “total appropriated general fund revenues”,
10 “transfers from reserve funds”, “tax and other refunds”, and
11 “school infrastructure transfers”, and including the types
12 and categories of receipts that will be included within each
13 definition and in the calculation of net general fund revenues.
14 c. The department of management shall submit an annual
15 report to the governor and general assembly by November 1
16 following the close of each fiscal year beginning on or after
17 July 1, 2020, until such time as this division of this Act
18 takes effect, which report shall identify the net general fund
19 revenues for the fiscal year and shall include a detailed
20 description of the net general fund revenues calculation made
21 by the department of management.

22 Sec. 142.APPLICABILITY. This division of this Act applies
23 to tax years beginning on or after the effective date of this
24 division of this Act.

25 DIVISION X

26 CHANGES TO IOWA EDUCATIONAL SAVINGS PLAN TRUST AND IOWA ABLE
27 SAVINGS PLAN TRUST

28 Sec. 143. Section 12D.1, Code 2018, is amended to read as
29 follows:

30 **12D.1 Purpose and definitions.**

31 1. The general assembly finds that the general welfare and
32 well-being of the state are directly related to educational
33 levels and skills of the citizens of the state, and that a
34 vital and valid public purpose is served by the creation and
35 implementation of programs which encourage and make possible

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1 the attainment of higher formal education by the greatest
 2 number of citizens of the state. The ~~state has limited~~
 3 ~~resources to provide additional programs for higher education~~
 4 ~~funding and the continued operation and maintenance of the~~
 5 ~~state's public institutions of higher education and the general~~
 6 welfare of the citizens of the state will be enhanced by
 7 establishing a program which allows citizens of the state to
 8 invest money in a public trust for future application to the
 9 payment of ~~higher education costs~~ qualified education expenses.
 10 The creation of the means of encouragement for citizens to
 11 invest in such a program represents the carrying out of a
 12 vital and valid public purpose. In order to make available
 13 to the citizens of the state an opportunity to fund future
 14 higher formal education needs, it is necessary that a public
 15 trust be established in which moneys may be invested for future
 16 educational use.

17 2. As used in this chapter, unless the context otherwise
 18 requires:

19 a. "*Account balance limit*" means the maximum allowable
 20 aggregate balance of accounts established for the same
 21 beneficiary. Account earnings, if any, are included in the
 22 account balance limit.

23 b. "*Administrative fund*" means the administrative fund
 24 established under section 12D.4.

25 c. "*Beneficiary*" means the individual designated by a
 26 participation agreement to benefit from advance payments of
 27 ~~higher education costs~~ qualified education expenses on behalf
 28 of the beneficiary.

29 d. "*Benefits*" means the payment of ~~higher education costs~~
 30 qualified education expenses on behalf of a beneficiary by the
 31 trust during the beneficiary's attendance at ~~an institution of~~
 32 higher education a qualified educational institution.

33 e. "*Higher education costs*" means the same as "*qualified*
 34 ~~higher education expenses~~" as defined in section 529(c)(3) of
 35 the Internal Revenue Code.

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1 ~~f.~~ e. "*Institution of higher education*" means an institution
 2 described in section 481 of the federal Higher Education Act of
 3 1965, 20 U.S.C. §1088, which is eligible to participate in the
 4 United States department of education's student aid programs.

5 ~~g.~~ f. "*Internal Revenue Code*" means the same as defined
 6 in section 12I.1.

7 ~~h.~~ g. "*Iowa educational savings plan trust*" or "*trust*" means
 8 the trust created under section 12D.2.

9 ~~i.~~ h. "*Participant*" means an individual, individual's legal
 10 representative, trust, estate, or an organization described
 11 in section 501(c)(3) of the Internal Revenue Code and exempt
 12 from taxation under section 501(a) of the Internal Revenue

13 Code, that has entered into a participation agreement under
 14 this chapter for the advance payment of ~~higher education costs~~
 15 qualified education expenses on behalf of a beneficiary.
 16 ~~f. i.~~ i. "Participation agreement" means an agreement between
 17 a participant and the trust entered into under this chapter.
 18 ~~k. j.~~ j. "Program fund" means the program fund established
 19 under section 12D.4.
 20 ~~k.~~ k. "Qualified education expenses" means the same as
 21 "qualified higher education expenses" as defined in section
 22 529(e)(3) of the Internal Revenue Code, as amended by Pub. L.
 23 No. 115-97, and shall include elementary and secondary school
 24 expenses for tuition described in section 529(c)(7) of the
 25 Internal Revenue Code, subject to the limitations imposed by
 26 section 529(e)(3)(A) of the Internal Revenue Code.
 27 ~~l.~~ l. "Qualified educational institution" means an institution
 28 of higher education, or any elementary or secondary public,
 29 private, or religious school described in section 529(c)(7) of
 30 the Internal Revenue Code.
 31 ~~l. m.~~ m. "Tuition and fees" "Tuition" means the quarter, or
 32 semester, or annual charges imposed to attend an institution
 33 ~~of higher education~~ a qualified educational institution and
 34 required as a condition of enrollment or attendance.
 35 Sec. 144. Section 12D.2, subsections 2, 5, 9, and 14, Code

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1 2018, are amended to read as follows:
 2 2. Enter into agreements with any ~~institution of higher~~
 3 ~~education~~ qualified educational institution, the state, or any
 4 federal or other state agency, or other entity as required to
 5 implement this chapter.
 6 5. Carry out studies and projections so the treasurer of
 7 state may advise participants regarding present and estimated
 8 future ~~higher education costs~~ qualified education expenses
 9 and levels of financial participation in the trust required
 10 in order to enable participants to achieve their educational
 11 funding objectives.
 12 9. Make payments to ~~institutions of higher education~~
 13 qualified educational institutions, participants, or
 14 beneficiaries, pursuant to participation agreements on behalf
 15 of beneficiaries.
 16 14. Establish, impose, and collect administrative fees
 17 and charges in connection with transactions of the trust, and
 18 provide for reasonable service charges, ~~including penalties for~~
 19 ~~cancellations and late payments with respect to participation~~
 20 ~~agreements.~~
 21 Sec. 145. Section 12D.3, subsections 1 and 2, Code 2018, are
 22 amended to read as follows:
 23 1.a. Each participation agreement may require a
 24 participant to agree to invest a specific amount of money in
 25 the trust for a specific period of time for the benefit of a
 26 specific beneficiary. A participant shall not be required to

27 make an annual contribution on behalf of a beneficiary. The
 28 maximum contribution that may be deducted for Iowa income tax
 29 purposes shall not exceed two thousand dollars per beneficiary
 30 per year adjusted annually to reflect increases in the consumer
 31 price index. The treasurer of state shall set an account
 32 balance limit to maintain compliance with section 529 of the
 33 Internal Revenue Code. A contribution shall not be permitted
 34 to the extent it causes the aggregate balance of all accounts
 35 established for the same beneficiary under the trust to exceed

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1 the applicable account balance limit.
 2 ~~b. Participation agreements may be amended to provide for~~
 3 ~~adjusted levels of payments based upon changed circumstances or~~
 4 ~~changes in educational plans.~~
 5 2. The execution of a participation agreement by the trust
 6 shall not guarantee in any way that ~~higher education costs~~
 7 qualified education expenses will be equal to projections
 8 and estimates provided by the trust or that the beneficiary
 9 named in any participation agreement will attain any of the
 10 following:
 11 a. Be admitted to ~~an institution of higher education a~~
 12 qualified educational institution.
 13 b. If admitted, be determined a resident for tuition
 14 purposes by the ~~institution of higher education~~ qualified
 15 educational institution.
 16 c. Be allowed to continue attendance at the ~~institution of~~
 17 higher education qualified educational institution following
 18 admission.
 19 d. Graduate from the ~~institution of higher education~~
 20 qualified educational institution.
 21 Sec. 146. Section 12D.3, Code 2018, is amended by adding the
 22 following new subsection:
 23 **NEW SUBSECTION. 5.** A participant may designate a successor
 24 in accordance with rules adopted by the treasurer of state.
 25 The designated successor shall succeed to the ownership of the
 26 account in the event of the death of the participant. In the
 27 event a participant dies and has not designated a successor to
 28 the account, the following criteria shall apply:
 29 a. The beneficiary of the account, if eighteen years of
 30 age or older, shall become the owner of the account as well as
 31 remain the beneficiary upon filing the appropriate forms in
 32 accordance with rules adopted by the treasurer of state.
 33 b. If the beneficiary of the account is under the age of
 34 eighteen, account ownership shall be transferred to the first
 35 surviving parent or other legal guardian of the beneficiary to

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1 file the appropriate forms in accordance with rules adopted by
 2 the treasurer of state.

3 Sec. 147. Section 12D.4, Code 2018, is amended to read as
4 follows:

5 **12D.4 Program and administrative funds — investment and**
6 **payments.**

7 1.a. The treasurer of state shall segregate moneys
8 received by the trust into two funds: the program fund and the
9 administrative fund.

10 b. All moneys paid by participants in connection with
11 participation agreements shall be deposited as received into
12 separate accounts within the program fund.

13 c. Contributions to the trust made by participants may only
14 be made in the form of cash.

15 d. A participant or beneficiary ~~shall not provide investment~~
16 ~~direction regarding program contributions or earnings held by~~
17 ~~the trust~~ may, directly or indirectly, direct the investment of
18 any contributions to the trust or any earnings thereon no more
19 than two times in a calendar year.

20 e. The amount of cash distributions from the trust and all
21 other qualified state tuition programs under section 529 of
22 the Internal Revenue Code to a beneficiary during any taxable
23 year shall, in the aggregate, include no more than ten thousand
24 dollars in expenses for tuition in connection with enrollment
25 at an elementary or secondary public, private, or religious
26 school incurred during the taxable year.

27 2. Moneys accrued by participants in the program fund of
28 the trust may be used for payments to any ~~institution of higher~~
29 ~~education~~ qualified educational institution. Payments can be
30 made to the qualified educational institution, the participant,
31 or the beneficiary.

32 Sec. 148. Section 12D.6, subsection 1, paragraph a, Code
33 2018, is amended to read as follows:

34 a. A participant retains ownership of all payments made
35 under a participation agreement up to the date of utilization

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1 for payment of ~~higher education costs~~ qualified education
2 expenses for the beneficiary.

3 Sec. 149. Section 12D.6, subsections 2, 3, and 5, Code 2018,
4 are amended to read as follows:

5 2. In the event the program is terminated prior to payment
6 of ~~higher education costs~~ qualified education expenses for the
7 beneficiary, the participant is entitled to a refund of the
8 participant's account balance.

9 3. The ~~institution of higher education~~ qualified
10 educational institution shall obtain ownership of the payments
11 made for the ~~higher education costs~~ qualified education
12 expenses paid to the institution at the time each payment is
13 made to the institution.

14 5. A participant may transfer ownership rights to another
15 ~~eligible individual, including a gift of the ownership rights~~
16 ~~to a minor beneficiary~~ participant, or may transfer funds to

17 another plan under the trust or to an ABLÉ account as permitted
 18 under section 529(c)(3)(C) of the Internal Revenue Code.

19 The transfer shall be made and the property distributed in
 20 accordance with rules adopted by the treasurer of state or with
 21 the terms of the participation agreement.

22 Sec. 150. Section 12D.7, Code 2018, is amended to read as
 23 follows:

24 **12D.7 Effect of payments on determination of need and**
 25 **eligibility for student financial aid.**

26 A student loan program, student grant program, or other
 27 program administered by any agency of the state, except as
 28 may be otherwise provided by federal law or the provisions
 29 of any specific grant applicable to that law, shall not take
 30 into account and shall not consider amounts available for
 31 the payment of ~~higher education costs~~ qualified education
 32 expenses pursuant to the Iowa educational savings plan trust in
 33 determining need and eligibility for student aid.

34 Sec. 151. Section 12D.9, subsection 1, paragraph a, Code
 35 2018, is amended to read as follows:

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1 a. Pursuant to section 12D.3, subsection 1, paragraph "a",
 2 a participant may make contributions to an account which is
 3 established for the purpose of meeting the qualified ~~higher~~
 4 education expenses of the designated beneficiary of the
 5 account.

6 Sec. 152. Section 422.7, subsection 32, paragraph c, Code
 7 2018, is amended by striking the paragraph and inserting in
 8 lieu thereof the following:

9 c.(1) Add, to the extent previously deducted as a
 10 contribution to the trust, the amount resulting from a
 11 withdrawal or transfer made by the taxpayer from the Iowa
 12 educational savings plan trust for purposes other than any of
 13 the following:

14 (a) The payment of qualified higher education expenses.

15 (b) The payment of tuition to an elementary or secondary
 16 school if the tuition amounts are qualified education expenses.

17 (c) A change in beneficiaries under, or transfer to another
 18 account within, the Iowa educational savings plan trust, or a
 19 transfer to the Iowa ABLÉ savings plan trust, provided such
 20 change or transfer is permitted under section 12D.6, subsection
 21 5.

22 (2) For purposes of this paragraph:

23 (a) "*Elementary or secondary school*" means an elementary
 24 or secondary school in this state which is accredited under
 25 section 256.11, and adheres to the provisions of the federal
 26 Civil Rights Act of 1964 and chapter 216.

27 (b) "*Qualified education expenses*" and "*tuition*" all mean the
 28 same as defined in section 12D.1, subsection 2.

29 (c)(i) "*Qualified higher education expenses*" means the same
 30 as defined in section 529(e)(3) of the Internal Revenue Code.

31 (ii) For purposes of this subparagraph division (c),
32 “*Internal Revenue Code*” means the Internal Revenue Code of
33 1954, prior to the date of its redesignation as the Internal
34 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
35 the Internal Revenue Code of 1986 as amended and in effect on

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1 January 1, 2018. This definition shall not be construed to
2 include any amendment to the Internal Revenue Code enacted
3 after the date specified in the preceding sentence, including
4 any amendment with retroactive applicability or effectiveness.
5 Sec. 153. Section 422.7, subsection 34, Code 2018, is
6 amended to read as follows:

7 34.a.(1) Subtract the amount contributed during the tax
8 year on behalf of a designated beneficiary that is a resident
9 of this state to the Iowa ABLE savings plan trust or to the
10 qualified ABLE program with which the state has contracted
11 pursuant to section 12I.10, not to exceed the maximum
12 contribution level established in section 12I.3, subsection 1,
13 paragraph “d”, or section 12I.10, subsection 2, paragraph “a”,
14 as applicable.

15 (2) This paragraph “a” shall not apply to any amount
16 of contribution that represents a transfer from the Iowa
17 educational savings plan trust created in chapter 12D that
18 meets the requirements of subsection 32, paragraph “c”
19 subparagraph (1), subparagraph division (c), and that was
20 previously deducted as a contribution to the Iowa educational
21 savings plan trust.

22 b. Add the amount resulting from the cancellation of a
23 participation agreement refunded to the taxpayer as an account
24 owner in the Iowa ABLE savings plan trust or the qualified
25 ABLE program with which the state has contracted pursuant to
26 section 12I.10 to the extent previously deducted pursuant
27 to this subsection by the taxpayer or any other person as a
28 contribution to the trust or qualified ABLE program, or to the
29 extent the amount was previously deducted by the taxpayer or
30 any other person pursuant to subsection 32, paragraph “a”, and
31 qualified as a transfer under paragraph “a”, subparagraph (2),
32 of this subsection.

33 c. Add the amount resulting from a withdrawal made by a
34 taxpayer from the Iowa ABLE savings plan trust or the qualified
35 ABLE program with which the state has contracted pursuant to

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1 section 12I.10 for purposes other than the payment of qualified
2 disability expenses to the extent previously deducted pursuant
3 to this subsection by the taxpayer or any other person as a
4 contribution to the trust or qualified ABLE program, or to the
5 extent the amount was previously deducted by the taxpayer or
6 any other person pursuant to subsection 32, paragraph “a”, and

7 qualified as a transfer under paragraph “a”, subparagraph (2),
 8 of this subsection.

9 Sec. 154. Section 627.6, Code 2018, is amended by adding the
 10 following new subsection:

11 NEW SUBSECTION. 17. The debtor’s interest, whether as
 12 participant or beneficiary, in contributions and assets,
 13 including the accumulated earnings and market increases in
 14 value, held in an account in the Iowa educational savings plan
 15 trust organized under chapter 12D.

16 Sec. 155.EFFECTIVE DATE. This division of this Act, being
 17 deemed of immediate importance, takes effect upon enactment.

18 Sec. 156.RETROACTIVE APPLICABILITY.

19 1. Except as provided in subsection 2, this division of this
 20 Act applies retroactively to January 1, 2018, for withdrawals
 21 from the Iowa educational savings plan trust made on or after
 22 that date.

23 2. The sections of this division of this Act amending
 24 section 422.7 apply retroactively to January 1, 2018, for tax
 25 years beginning on or after that date, and for withdrawals from
 26 the Iowa educational savings plan trust made on or after that
 27 date.

28 DIVISION XI

29 SALES AND USE TAXES

30 Sec. 157. Section 15J.4, subsection 3, paragraph f, Code
 31 2018, is amended to read as follows:

32 *f.* The total aggregate amount of state sales tax revenues
 33 and state hotel and motel tax revenues that may be approved by
 34 the board for remittance to all municipalities and that may
 35 be transferred to the state reinvestment district fund under

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1 section ~~423.2, subsection 11, 423.2A~~ or section 423A.6, and
 2 remitted to all municipalities having a reinvestment district
 3 under this chapter shall not exceed one hundred million
 4 dollars.

5 Sec. 158. Section 15J.5, subsection 1, paragraph a, Code
 6 2018, is amended to read as follows:

7 *a.* The department shall calculate quarterly the amount of
 8 new state sales tax revenues for each district established in
 9 the state to be deposited in the state reinvestment district
 10 fund created in section 15J.6, pursuant to section ~~423.2,~~
 11 ~~subsection 11, paragraph “b”~~ 423.2A, subsection 2, subject to
 12 remittance limitations established by the board pursuant to
 13 section 15J.4, subsection 3.

14 Sec. 159. Section 15J.6, subsection 1, Code 2018, is amended
 15 to read as follows:

16 1. A state reinvestment district fund is established in the
 17 state treasury under the control of the department consisting
 18 of the new state sales tax revenues collected within each
 19 district and deposited in the fund pursuant to section ~~423.2,~~
 20 ~~subsection 11, paragraph “b”~~ 423.2A, subsection 2, and the

21 new state hotel and motel tax revenues collected within each
22 district and deposited in the fund pursuant to section 423A.6.
23 Moneys deposited in the fund are appropriated to the department
24 for the purposes of this section. Moneys in the fund shall
25 only be used for the purposes of this section.

26 Sec. 160. Section 418.11, subsection 1, Code 2018, is
27 amended to read as follows:

28 1. The department of revenue shall calculate quarterly the
29 amount of increased sales tax revenues for each governmental
30 entity approved to use sales tax increment revenues and the
31 amount of such revenues to be transferred to the sales tax
32 increment fund pursuant to section ~~423.2, subsection 11,~~
33 ~~paragraph "b"~~ 423.2A, subsection 2.

34 Sec. 161. Section 418.12, subsection 1, Code 2018, is
35 amended to read as follows:

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1 1. A sales tax increment fund is established as a separate
2 and distinct fund in the state treasury under the control of
3 the department of revenue consisting of the amount of the
4 increased state sales and services tax revenues collected by
5 the department of revenue within each applicable area specified
6 in section 418.11, subsection 3, and deposited in the fund
7 pursuant to section ~~423.2, subsection 11, paragraph "b"~~ 423.2A,
8 subsection 2. Moneys deposited in the fund are appropriated
9 to the department of revenue for the purposes of this section.
10 Moneys in the fund shall only be used for the purposes of this
11 section.

12 Sec. 162. Section 421.26, Code 2018, is amended to read as
13 follows:

14 **421.26 Personal liability for tax due.**

15 If a licensee or other person under section 452A.65, a
16 retailer or purchaser under chapter 423A, 423B, ~~423C,~~ 423D, or
17 423E, or section ~~423.14, 423.14A, 423.29, 423.31, 423.32, or
18 ~~423.33, or a retailer or purchaser under section 423.32, or~~
19 a user under section 423.34, or a permit holder or licensee
20 under section 453A.13, 453A.16, or 453A.44 fails to pay a tax
21 under those sections when due, an officer of a corporation
22 or association, notwithstanding section 489.304, a member or
23 manager of a limited liability company, or a partner of a
24 partnership, having control or supervision of or the authority
25 for remitting the tax payments and having a substantial legal
26 or equitable interest in the ownership of the corporation,
27 association, limited liability company, or partnership, who has
28 intentionally failed to pay the tax is personally liable for
29 the payment of the tax, interest, and penalty due and unpaid.
30 However, this section shall not apply to taxes on accounts
31 receivable. The dissolution of a corporation, association,
32 limited liability company, or partnership shall not discharge a
33 person's liability for failure to remit the tax due.~~

34 Sec. 163. Section 423.1, Code 2018, is amended by adding the

35 following new subsection:

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1 NEW SUBSECTION. 22A. “*Information services*” means
2 delivering or providing access to databases or subscriptions
3 to information through any tangible or electronic medium.
4 “*Information services*” includes but is not limited to database
5 files, research databases, genealogical information, and other
6 similar information.

7 Sec. 164. Section 423.1, subsection 24, paragraph a, Code
8 2018, is amended to read as follows:

9 a. “*Lease or rental*” means any transfer of possession
10 or control of, or access to, tangible personal property or
11 specified digital products for a fixed or indeterminate term
12 for consideration. A “*lease or rental*” may include future
13 options to purchase or extend.

14 Sec. 165. Section 423.1, subsection 37, Code 2018, is
15 amended to read as follows:

16 37. “*Place of business*” means any warehouse, store,
17 place, office, building, or structure where ~~goods, wares, or~~
18 ~~merchandise~~ tangible personal property, specified digital
19 products, or services are offered for sale at retail or where
20 any taxable amusement is conducted, or each office where gas,
21 water, heat, communication, or electric services are offered
22 for sale at retail. When a retailer or amusement operator
23 sells merchandise by means of vending machines or operates
24 music or amusement devices by coin-operated machines at more
25 than one location within the state, the office, building, or
26 place where the books, papers, and records of the taxpayer are
27 kept shall be deemed to be the taxpayer’s place of business.

28 Sec. 166. Section 423.1, Code 2018, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 36A. “*Personal property*” includes but is
31 not limited to tangible personal property and specified digital
32 products.

33 Sec. 167. Section 423.1, subsection 43, paragraph a,
34 subparagraph (3), Code 2018, is amended to read as follows:

35 (3) Taking possession or making first use of ~~digital goods~~

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1 specified digital products, whichever comes first.

2 Sec. 168. Section 423.1, subsection 47, Code 2018, is
3 amended to read as follows:

4 47. “*Retailer*” means and includes every person engaged
5 in the business of selling tangible personal property,
6 specified digital products, or taxable services at retail, or
7 the furnishing of gas, electricity, water, or communication
8 service, and tickets or admissions to places of amusement
9 and athletic events or operating amusement devices or other
10 forms of commercial amusement from which revenues are derived.

11 However, when in the opinion of the director it is necessary
 12 for the efficient administration of this chapter to regard any
 13 agent or affiliate of a retailer as a retailer for purposes
 14 of this chapter, the director may so regard them, or when
 15 it is necessary for the efficient administration of this
 16 chapter to regard any salespersons, representatives, truckers,
 17 peddlers, or canvassers, or other persons as agents of the
 18 dealers, distributors, supervisors, employers, or persons under
 19 whom they operate or from whom they obtain tangible personal
 20 property, services, or specified digital products sold by
 21 them irrespective of whether or not they are making sales on
 22 their own behalf or on behalf of such dealers, distributors,
 23 supervisors, employers, or persons, the director may so regard
 24 them, and may regard such dealers, distributors, supervisors,
 25 employers, or persons as retailers for the purposes of this
 26 chapter. "Retailer" includes a seller obligated to collect
 27 sales or use tax, including any person obligated to collect
 28 sales and use tax pursuant to section 423.14A.
 29 Sec. 169. Section 423.1, subsection 48, paragraph a, Code
 30 2018, is amended to read as follows:
 31 a. "Retailer maintaining a place of business in this state"
 32 or any like term includes any of the following:
 33 (1) A retailer having or maintaining within this state,
 34 directly or by a subsidiary, an office, distribution house,
 35 sales house, warehouse, or other place of business, or any

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1 representative operating within this state under the authority
 2 of the retailer or its subsidiary, irrespective of whether that
 3 place of business or representative is located here permanently
 4 or temporarily, or whether the retailer or subsidiary is
 5 admitted to do business within this state pursuant to chapter
 6 490.
 7 (2) A person obligated to collect sales and use tax pursuant
 8 to section 423.14A.
 9 Sec. 170. Section 423.1, subsection 48, paragraph b,
 10 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
 11 to read as follows:
 12 A retailer shall be presumed to be maintaining a place of
 13 business in this state, as defined in for purposes of paragraph
 14 "a", subparagraph (1), if any person that has substantial nexus
 15 in this state, other than a person acting in its capacity as a
 16 common carrier, does any of the following:
 17 Sec. 171. Section 423.1, subsection 48, paragraph b,
 18 subparagraph (1), subparagraph division (b), Code 2018, is
 19 amended to read as follows:
 20 (b) Maintains an office, distribution facility, warehouse,
 21 storage place, or similar place of business in this state to
 22 facilitate the delivery of personal property or services sold
 23 by the retailer to the retailer's customers.
 24 Sec. 172. Section 423.1, subsection 50, Code 2018, is

25 amended to read as follows:

26 50. “*Sales*” or “*sale*” means any transfer, exchange, or
27 barter, conditional or otherwise, in any manner or by any means
28 whatsoever, for consideration, including but not limited to any
29 such transfer, exchange, or barter on a subscription basis.
30 Sec. 173. Section 423.1, Code 2018, is amended by adding the
31 following new subsection:
32 NEW SUBSECTION. 55A. “*Sold at retail in the state*” and
33 other references to sales “in the state” or “in this state”
34 includes but is not limited to sales sourced to this state
35 under this chapter.

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1 Sec. 174. Section 423.1, Code 2018, is amended by adding the
2 following new subsection:
3 NEW SUBSECTION. 55B.a. “*Specified digital products*” means
4 electronically transferred digital audio-visual works, digital
5 audio works, digital books, or other digital products.
6 *b.* For purposes of this subsection:
7 (1) “*Digital audio-visual works*” means a series of related
8 images which, when shown in succession, impart an impression of
9 motion, together with accompanying sounds, if any.
10 (2) “*Digital audio works*” means works that result from
11 the fixation of a series of musical, spoken, or other sounds,
12 including but not limited to ringtones. For purposes of this
13 subparagraph, “*ringtones*” means digitized sound files that are
14 downloaded onto a device and that may be used to alert the
15 customer with respect to a communication.
16 (3) “*Digital books*” means works that are generally
17 recognized in the ordinary and usual sense as books.
18 (4) “*Electronically transferred*” means obtained or accessed
19 by the purchaser by means other than tangible storage media,
20 including but not limited to a specified digital product
21 purchased through a computer software application, commonly
22 referred to as an in-app purchase, or through another specified
23 digital product, or through any other means.
24 (5) “*Other digital products*” means greeting cards, images,
25 video or electronic games or entertainment, news or information
26 products, and computer software applications.
27 Sec. 175. Section 423.1, Code 2018, is amended by adding the
28 following new subsection:
29 NEW SUBSECTION. 57A. “*Subscription*” means any arrangement
30 in which a person has the right or ability to access,
31 receive, use, obtain, purchase, or otherwise acquire tangible
32 personal property, specified digital products, or services
33 on a permanent or less than permanent basis, regardless of
34 whether the person actually accesses, receives, uses, obtains,
35 purchases, or otherwise acquires such tangible personal

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1 property, specified digital product, or service.

2 Sec. 176. Section 423.1, subsections 62, 63, and 64, Code
3 2018, are amended to read as follows:

4 62. “Use” means and includes the exercise by any person of
5 any right or power over ~~or access to~~ tangible personal property
6 ~~or a specified digital product~~ incident to the ownership of
7 that property, ~~or any right or power over or access to the~~
8 ~~product or result of a service~~. A retailer’s or building
9 contractor’s sale of manufactured housing for use in this
10 state, whether in the form of tangible personal property or
11 of realty, is a use of that property for the purposes of this
12 chapter.

13 63. “Use tax” means the tax levied under subchapter III of
14 this chapter ~~for which the retailer collects and remits tax to~~
15 ~~the department~~.

16 64. “User” means the immediate recipient of the personal
17 property or services who is entitled to exercise a right ~~of or~~
18 ~~power over or access to the personal property, or the product~~
19 ~~or result~~ of such services.

20 Sec. 177. Section 423.2, subsection 1, paragraph a,
21 subparagraph (1), Code 2018, is amended to read as follows:

22 (1) Sales of engraving, ~~photography, retouching,~~ printing,
23 and binding services.

24 Sec. 178. Section 423.2, subsection 6, Code 2018, is amended
25 to read as follows:

26 ~~6.a.~~ The sales price of any of the following enumerated
27 services is subject to the tax imposed by subsection 5:

28 ~~a. alteration~~ Alteration and garment repair; ~~armored,~~

29 ~~b. Armored car; vehicle,~~

30 ~~c. Vehicle repair; battery,~~

31 ~~d. Battery, tire, and allied; investment,~~

32 ~~e. Investment counseling; service,~~

33 ~~f. Service charges of all financial institutions; barber,~~

34 For the purposes of this paragraph, “financial institutions”

35 means all national banks, federally chartered savings and loan

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1 associations, federally chartered savings banks, federally
2 chartered credit unions, banks organized under chapter 524,
3 credit unions organized under chapter 533, and all banks,
4 savings banks, credit unions, and savings and loan associations
5 chartered or otherwise created under the laws of any state and
6 doing business in Iowa.

7 ~~g. Barber and beauty; boat,~~

8 ~~h. Boat repair; vehicle,~~

9 ~~i. Vehicle wash and wax; campgrounds; carpentry; roof,~~

10 ~~j. Campgrounds.~~

11 ~~k. Carpentry.~~

12 ~~l. Roof, shingle, and glass repair; dance,~~

- 13 m. Dance schools and dance studios; ~~dating.~~
 14 n. Dating services; ~~dry.~~
 15 o. Dry cleaning, pressing, dyeing, and laundering excluding
 16 the use of self-pay washers and dryers; ~~electrical.~~
 17 p. Electrical and electronic repair and installation;
 18 ~~excavating.~~
 19 q. Excavating and grading; ~~farm.~~
 20 r. Farm implement repair of all kinds; ~~flying.~~
 21 s. Flying service; ~~furniture.~~
 22 t. Furniture, rug, carpet, and upholstery repair and
 23 cleaning; ~~fur.~~
 24 u. Fur storage and repair; ~~golf.~~
 25 v. Golf and country clubs and all commercial recreation;
 26 ~~gun.~~
 27 w. Gun and camera repair; ~~house.~~
 28 x. House and building moving; ~~household.~~
 29 y. Household appliance, television, and radio repair;
 30 ~~janitorial.~~
 31 z. Janitorial and building maintenance or cleaning; ~~jewelry.~~
 32 aa. Jewelry and watch repair; ~~lawn.~~
 33 ab. Lawn care, landscaping, and tree trimming and removal;
 34 ac. Personal transportation service, including but not
 35 limited to taxis, driver service, ride sharing service, rides

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- 1 for hire, and limousine service, including driver, machine,
 2 ad. Machine operator; ~~machine.~~
 3 ae. Machine repair of all kinds; ~~motor.~~
 4 af. Motor repair; ~~motoreycle.~~
 5 ag. Motorcycle, scooter, and bicycle repair; ~~oilers.~~
 6 ah. Oilers and lubricators; ~~office.~~
 7 ai. Office and business machine repair; ~~painting.~~
 8 aj. Painting, papering, and interior decorating; ~~parking.~~
 9 ak. Parking facilities; ~~pay.~~
 10 al. Pay television; ~~pet, including but not limited to~~
 11 streaming video, video on-demand, and pay-per-view.
 12 am. Pet grooming; ~~pipe.~~
 13 an. Pipe fitting and plumbing; ~~wood.~~
 14 ao. Wood preparation; ~~executive.~~
 15 ap. Executive search agencies; ~~private.~~
 16 aq. Private employment agencies, excluding services for
 17 placing a person in employment where the principal place of
 18 employment of that person is to be located outside of the
 19 state; ~~reflexology; security.~~
 20 ar. Reflexology.
 21 as. Security and detective services, excluding private
 22 security and detective services furnished by a peace officer
 23 with the knowledge and consent of the chief executive officer
 24 of the peace officer's law enforcement agency; ~~sewage.~~
 25 at. Sewage services for nonresidential commercial
 26 operations; ~~sewing.~~

27 au. Sewing and stitching; shoe.
 28 av. Shoe repair and shoeshine; sign.
 29 aw. Sign construction and installation; storage.
 30 ax. Storage of household goods, mini-storage, and
 31 warehousing of raw agricultural products; swimming.
 32 ay. Swimming pool cleaning and maintenance; tanning.
 33 az. Tanning beds or salons; taxidermy.
 34 ba. Taxidermy services; telephone.
 35 bb. Telephone answering service; test.

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1 bc. Test laboratories, including mobile testing laboratories
 2 and field testing by testing laboratories, and excluding tests
 3 on humans or animals and excluding environmental testing
 4 services; termite.
 5 bd. Termite, bug, roach, and pest eradicators; tin.
 6 be. Tin and sheet metal repair; transportation.
 7 bf. Transportation service consisting of the rental of
 8 recreational vehicles or recreational boats, or the rental of
 9 vehicles subject to registration which are registered for a
 10 gross weight of thirteen tons or less for a period of sixty
 11 days or less, or the rental of aircraft for a period of sixty
 12 days or less;.
 13 bg. Turkish baths, massage, and reducing salons, excluding
 14 services provided by massage therapists licensed under chapter
 15 152C; water.
 16 bh. Water conditioning and softening; weighing; welding;
 17 well.
 18 bi. Weighing.
 19 bj. Welding.
 20 bk. Well drilling; wrapping.
 21 bl. Wrapping, packing, and packaging of merchandise other
 22 than processed meat, fish, fowl, and vegetables; wrecking.
 23 bm. Wrecking service; wrecker.
 24 bn. Wrecker and towing.
 25 b. For the purposes of this subsection, "financial
 26 institutions" means all national banks, federally chartered
 27 savings and loan associations, federally chartered savings
 28 banks, federally chartered credit unions, banks organized under
 29 chapter 524, credit unions organized under chapter 533, and
 30 all banks, savings banks, credit unions, and savings and loan
 31 associations chartered or otherwise created under the laws of
 32 any state and doing business in Iowa.
 33 bo. Photography.
 34 bp. Retouching.
 35 bq. Storage of tangible or electronic files, documents, or

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1 other records.
 2 br. Information services.

3 bs. Services arising from or related to installing,
 4 maintaining, servicing, repairing, operating, upgrading, or
 5 enhancing specified digital products.

6 bt. Video game services and tournaments.

7 bu. Software as a service.

8 Sec. 179. Section 423.2, subsection 8, Code 2018, is amended
 9 by adding the following new paragraph:

10 NEW PARAGRAPH. *d.* A transaction that otherwise meets
 11 the definition of “*bundled transaction*” as defined in this
 12 subsection is not a bundled transaction if it is any of the
 13 following:

14 (1) The retail sale of tangible personal property and a
 15 service where the tangible personal property is essential
 16 to the use of the service, and is provided exclusively in
 17 connection with the service, and the true object of the
 18 transaction is the service.

19 (2) The retail sale of services where one service is
 20 provided that is essential to the use or receipt of a second
 21 service and the first service is provided exclusively in
 22 connection with the second service and the true object of the
 23 transaction is the second service.

24 (3)(a) A transaction that includes taxable products and
 25 nontaxable products and the purchase price or sales price of
 26 the taxable products is *de minimis*.

27 (b) For purposes of this subparagraph, “*de minimis*” means
 28 the seller’s purchase or sales price of the taxable products
 29 is ten percent or less of the total purchase price or sales
 30 price of the bundled products. Sellers shall use either the
 31 purchase price or the sale price of the products to determine
 32 if the taxable products are *de minimis*. Sellers may not use
 33 a combination of the purchase price and sales price of the
 34 products to determine if the taxable products are *de minimis*.

35 (4) The retail sale of exempt tangible personal property and

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1 taxable tangible personal property where all of the following
 2 apply:

3 (a) The transaction includes food and food ingredients,
 4 drugs, durable medical equipment, mobility enhancing equipment,
 5 prosthetic devices, or medical supplies.

6 (b) The seller’s purchase price or sales price of the
 7 taxable tangible personal property is fifty percent or less
 8 of the total purchase price or sales price of the bundled
 9 tangible personal property. Sellers may not use a combination
 10 of the purchase price and sales price of the tangible personal
 11 property when making the fifty percent determination for a
 12 transaction.

13 Sec. 180. Section 423.2, Code 2018, is amended by adding the
 14 following new subsection:

15 NEW SUBSECTION. *9A.a.* A tax of six percent is imposed on
 16 the sales price of specified digital products sold at retail

17 in the state. The tax applies whether the purchaser obtains
18 permanent use or less than permanent use of the specified
19 digital product, whether the sale is conditioned or not
20 conditioned upon continued payment from the purchaser, and
21 whether the sale is on a subscription basis or is not on a
22 subscription basis.

23 *b.* The sale of a digital code that may be used to obtain
24 or access a specified digital product shall be taxed in the
25 same manner as the specified digital product. For purposes
26 of this paragraph, “*digital code*” means a method that permits
27 a purchaser to obtain or access at a later date a specified
28 digital product.

29 Sec. 181. Section 423.2, subsections 10, 11, and 12, Code
30 2018, are amended by striking the subsections.

31 Sec. 182. NEW SECTION. 423.2A Deposit and transfer of
32 **revenues.**

33 *1.a.* All revenues arising under the operation of the
34 provisions of this subchapter II shall be deposited into the
35 general fund of the state.

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1 *b.* Subsequent to the deposit into the general fund of
2 the state, the director shall credit an amount equal to the
3 product of the sales tax rate imposed in section 423.2 times
4 the sales price of the tangible personal property or services
5 furnished to purchasers at a baseball and softball complex that
6 has received an award under section 15F.207 and that meets
7 the qualifications of section 423.4, subsection 10, into the
8 baseball and softball complex sales tax rebate fund created
9 under section 423.4, subsection 10, paragraph “*e*”. The director
10 shall credit the moneys beginning the first day of the quarter
11 following July 1, 2016. This paragraph is repealed thirty
12 days following the date on which five million dollars in total
13 rebates have been provided under section 423.4, subsection 10.

14 2. Subsequent to the deposit into the general fund of the
15 state pursuant to subsection 1, the department shall do the
16 following in the order prescribed:

17 *a.* Transfer the revenues collected under chapter 423B.

18 *b.* Transfer from the remaining revenues the amounts required
19 under Article VII, section 10, of the Constitution of the State
20 of Iowa to the natural resources and outdoor recreation trust
21 fund created in section 461.31, if applicable.

22 *c.* Transfer one-sixth of the remaining revenues to the
23 secure an advanced vision for education fund created in section
24 423F.2. This paragraph “*c*” is repealed December 31, 2029.

25 *d.* Transfer to the baseball and softball complex sales tax
26 rebate fund that portion of the sales tax receipts described
27 in subsection 1, paragraph “*b*”, remaining after the transfers
28 required under paragraphs “*a*”, “*b*”, and “*c*” of this subsection
29 2. This paragraph is repealed thirty days following the date
30 on which five million dollars in total rebates have been

31 provided under section 423.4, subsection 10.
 32 e. Beginning the first day of the calendar quarter
 33 beginning on the reinvestment district's commencement date,
 34 subject to remittance limitations established by the economic
 35 development authority board pursuant to section 15J.4,

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1 subsection 3, transfer to a district account created in the
 2 state reinvestment district fund for each reinvestment district
 3 established under chapter 15J, the amount of new state sales
 4 tax revenue, determined in section 15J.5, subsection 1,
 5 paragraph "b", in the district, that remains after the prior
 6 transfers required under this subsection 2. Such transfers
 7 shall cease pursuant to section 15J.8.
 8 f. Subject to the limitation on the calculation and
 9 deposit of sales tax increment revenues in section 418.12,
 10 beginning the first day of the quarter following adoption
 11 of the resolution pursuant to section 418.4, subsection 3,
 12 paragraph "d", transfer to the account created in the sales tax
 13 increment fund for each governmental entity approved to use
 14 sales tax increment revenues under chapter 418, that portion
 15 of the increase in sales tax revenue, determined in section
 16 418.11, subsection 2, paragraph "d", in the applicable area of
 17 the governmental entity, that remains after the other transfers
 18 required under this subsection 2.
 19 g. Beginning the first day of the quarter following July 1,
 20 2014, transfer to the raceway facility tax rebate fund created
 21 in section 423.4, subsection 11, paragraph "e", that portion
 22 of the sales tax receipts collected and remitted upon sales of
 23 tangible personal property or services furnished by retailers
 24 at a raceway facility meeting the qualifications of section
 25 423.4, subsection 11, that remains after the transfers required
 26 in paragraphs "a" through "f" of this subsection 2. This
 27 paragraph is repealed June 30, 2025, or thirty days following
 28 the date on which an amount of total rebates specified in
 29 section 423.4, subsection 11, paragraph "c", subparagraph (4),
 30 subparagraph division (a) or (b), whichever is applicable,
 31 has been provided or thirty days following the date on which
 32 rebates cease as provided in section 423.4, subsection 11,
 33 paragraph "c", subparagraph (5), whichever is earliest.
 34 3. Of the amount of sales tax revenue actually transferred
 35 per quarter pursuant to subsection 2, paragraphs "e" and "f",

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1 the department shall retain an amount equal to the actual cost
 2 of administering the transfers under subsection 2, paragraphs
 3 "e" and "f", or twenty-five thousand dollars, whichever is
 4 less. The amount retained by the department pursuant to this
 5 subsection shall be divided pro rata each quarter between
 6 the amounts that would have been transferred pursuant to

7 subsection 2, paragraphs “e” and “f”, without the deduction
8 made by operation of this subsection. Revenues retained by
9 the department pursuant to this subsection shall be considered
10 repayment receipts as defined in section 8.2.

11 Sec. 183. Section 423.3, subsections 1 and 17, Code 2018,
12 are amended to read as follows:

13 1. The sales price from sales of tangible personal property,
14 specified digital products, and services furnished which this
15 state is prohibited from taxing under the Constitution or laws
16 of the United States or under the Constitution of this state.

17 17. The sales price of all ~~goods, wares, or merchandise,~~
18 tangible personal property, specified digital products, or
19 services, used for educational purposes sold to any private
20 nonprofit educational institution in this state. For the
21 purpose of this subsection, “*educational institution*” means an
22 institution which primarily functions as a school, college,
23 or university with students, faculty, and an established
24 curriculum. The faculty of an educational institution must be
25 associated with the institution and the curriculum must include
26 basic courses which are offered every year. “*Educational*
27 *institution*” includes an institution primarily functioning as
28 a library.

29 Sec. 184. Section 423.3, subsection 18, unnumbered
30 paragraph 1, Code 2018, is amended to read as follows:

31 The sales price of tangible personal property or specified
32 digital products sold, or of services furnished, to the
33 following nonprofit corporations:

34 Sec. 185. Section 423.3, subsections 20, 21, 22, 23, 26, 27,
35 28, and 31, Code 2018, are amended to read as follows:

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1 20. The sales price of tangible personal property or
2 specified digital products sold, or of services furnished, to
3 nonprofit legal aid organizations.

4 21. The sales price of ~~goods, wares, or merchandise,~~
5 tangible personal property, of specified digital products,
6 or of services, used for educational, scientific, historic
7 preservation, or aesthetic purpose sold to a nonprofit private
8 museum.

9 22. The sales price from sales of ~~goods, wares, or~~
10 ~~merchandise,~~ tangible personal property, of specified digital
11 products, or from services furnished, to a nonprofit private
12 art center to be used in the operation of the art center.

13 23. The sales price of tangible personal property or
14 specified digital products sold, or of services furnished, by a
15 fair organized under chapter 174.

16 26. The sales price of tangible personal property or
17 specified digital products sold, or of services furnished, to a
18 statewide nonprofit organ procurement organization, as defined
19 in section 142C.2.

20 27. The sales price of tangible personal property or

21 specified digital products sold, or of services furnished, to a
 22 nonprofit hospital licensed pursuant to chapter 135B to be used
 23 in the operation of the hospital.

24 28. The sales price of tangible personal property or
 25 specified digital products sold, or of services furnished, to
 26 a freestanding nonprofit hospice facility which operates a
 27 hospice program as defined in 42 C.F.R. ch. IV, §418.3, which
 28 property or services are to be used in the hospice program.

29 ~~31. a. The sales price of goods, wares, or merchandise~~
 30 tangible personal property or specified digital products sold
 31 to and of services furnished, and used for public purposes
 32 sold to a tax-certifying or tax-levying body of the state or
 33 a governmental subdivision of the state, including regional
 34 transit systems, as defined in section 324A.1, the state board
 35 of regents, department of human services, state department of

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1 transportation, any municipally owned solid waste facility
 2 which sells all or part of its processed waste as fuel to a
 3 municipally owned public utility, and all divisions, boards,
 4 commissions, agencies, or instrumentalities of state, federal,
 5 county, or municipal government which have no earnings going to
 6 the benefit of an equity investor or stockholder, except any
 7 of the following:

8 ~~(1) a. The sales price of goods, wares, or merchandise~~
 9 tangible personal property or specified digital products sold
 10 to, or of services furnished, and used by or in connection with
 11 the operation of any municipally owned public utility engaged
 12 in selling gas, electricity, heat, pay television service, or
 13 communication service to the general public.

14 ~~(2) b. The sales price of furnishing of sewage services to~~
 15 a county or municipality on behalf of nonresidential commercial
 16 operations.

17 ~~(3) c. The furnishing of solid waste collection and~~
 18 disposal service to a county or municipality on behalf of
 19 nonresidential commercial operations located within the county
 20 or municipality.

21 ~~b. The exemption provided by this subsection shall also~~
 22 ~~apply to all such sales of goods, wares, or merchandise or of~~
 23 ~~services furnished and subject to use tax.~~

24 Sec. 186. Section 423.3, subsection 32, unnumbered
 25 paragraph 1, Code 2018, is amended to read as follows:

26 The sales price of tangible personal property or specified
 27 digital products sold, or of services furnished, by a county or
 28 city. This exemption does not apply to any of the following:

29 Sec. 187. Section 423.3, subsection 36, unnumbered
 30 paragraph 1, Code 2018, is amended to read as follows:

31 The sales price from sales of tangible personal property
 32 or specified digital products or of the sale or furnishing of
 33 electrical energy, natural or artificial gas, or communication
 34 service to another state or political subdivision of another

35 state if the other state provides a similar reciprocal

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1 exemption for this state and political subdivision of this
2 state.

3 Sec. 188. Section 423.3, subsection 39, paragraph a,
4 subparagraphs (1) and (2), Code 2018, are amended to read as
5 follows:

6 (1) Sales of tangible personal property or specified
7 digital products, or the furnishing of services, of a
8 nonrecurring nature, by the owner, if the seller, at the time
9 of the sale, is not engaged for profit in the business of
10 selling tangible personal property, specified digital products,
11 or services taxed under section 423.2.

12 (2) The sale of all or substantially all of the tangible
13 personal property, or specified digital products, or services
14 held or used by a seller in the course of the seller's trade or
15 business for which the seller is required to hold a sales tax
16 permit when the seller sells or otherwise transfers the trade
17 or business to another person who shall engage in a similar
18 trade or business.

19 Sec. 189. Section 423.3, subsection 39, Code 2018, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. c. The exemption under this subsection does
22 not apply to sales for which a person is required pursuant to
23 section 423.14A to collect sales and use tax.

24 Sec. 190. Section 423.3, subsection 47, paragraph d,
25 subparagraph (1), Code 2018, is amended to read as follows:

26 (1) "*Commercial enterprise*" ~~includes means~~ businesses
27 and manufacturers conducted for profit ~~and centers for data~~
28 ~~processing services to,~~ for-profit and nonprofit insurance
29 companies, and for-profit and nonprofit financial institutions,
30 businesses, and manufacturers; but excludes other nonprofits
31 and professions and occupations and nonprofit organizations.

32 Sec. 191. Section 423.3, subsection 47, paragraph d,
33 subparagraph (4), Code 2018, is amended by striking the
34 subparagraph and inserting in lieu thereof the following:

35 (4)(a) "*Manufacturer*" means a business that primarily

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1 purchases, receives, or holds personal property of any
2 description for the purpose of adding to its value by a process
3 of manufacturing with a view to selling the property for gain
4 or profit.

5 (b) "*Manufacturer*" includes contract manufacturers. A
6 contract manufacturer is a manufacturer that otherwise falls
7 within the definition of manufacturer, except that a contract
8 manufacturer does not sell the tangible personal property
9 the contract manufacturer processes on behalf of other
10 manufacturers.

- 11 (c) *“Manufacturer”* does not include persons who are not
 12 commonly understood as manufacturers, including but not limited
 13 to persons engaged in any of the following activities:
- 14 (i) Construction contracting.
 - 15 (ii) Repairing tangible personal property or real property.
 - 16 (iii) Providing health care.
 - 17 (iv) Farming, including cultivating agricultural products
 18 and raising livestock.
 - 19 (v) Transporting for hire.
- 20 (d) For purposes of this subparagraph:
- 21 (i) *“Business”* means those businesses conducted for
 22 profit, but excludes professions and occupations and nonprofit
 23 organizations.
 - 24 (ii) *“Manufacturing”* means those activities commonly
 25 understood within the ordinary meaning of the term, and shall
 26 include:
 - 27 (A) Refining.
 - 28 (B) Purifying.
 - 29 (C) Combining of different materials.
 - 30 (D) Packing of meats.
 - 31 (E) Activities subsequent to the extractive process of
 32 quarrying or mining, such as crushing, washing, sizing, or
 33 blending of aggregate materials.
 - 34 (iii) *“Manufacturing”* does not include activities occurring
 35 on premises primarily used to make retail sales.

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- 1 Sec. 192. Section 423.3, subsection 63, Code 2018, is
 2 amended to read as follows:
- 3 63. The sales price from the sale of tangible personal
 4 property, specified digital products, or services which will be
 5 given as prizes to players in games of skill, games of chance,
 6 raffles, and bingo games as defined in chapter 99B.
- 7 Sec. 193. Section 423.3, subsections 65, 66, and 67, Code
 8 2018, are amended by striking the subsections.
- 9 Sec. 194. Section 423.3, subsection 78, paragraph a,
 10 unnumbered paragraph 1, Code 2018, is amended to read as
 11 follows:
- 12 The sales price from ~~sales or rental~~ the sale of tangible
 13 personal property, specified digital products, or services
 14 rendered by any entity where the profits from the ~~sales or~~
 15 ~~rental sale~~ of the tangible personal property, specified
 16 digital products, or services rendered, are used by or donated
 17 to a nonprofit entity that is exempt from federal income
 18 taxation pursuant to section 501(c)(3) of the Internal Revenue
 19 Code, a government entity, or a nonprofit private educational
 20 institution, and where the entire proceeds from the ~~sales,~~
 21 ~~rental, sale~~ or services are expended for any of the following
 22 purposes:
- 23 Sec. 195. Section 423.3, subsection 79, Code 2018, is
 24 amended to read as follows:

25 79. The sales price from the sale ~~or rental~~ of tangible
26 personal property or specified digital products, or from
27 services furnished, to a recognized community action agency as
28 provided in section 216A.93 to be used for the purposes of the
29 agency.
30 Sec. 196. Section 423.3, Code 2018, is amended by adding the
31 following new subsections:
32 NEW SUBSECTION. 103.a. The sales price of specified
33 digital products and of prewritten computer software sold, and
34 of enumerated services described in section 423.2, subsection
35 6, paragraphs “*bq*”, “*br*”, “*bs*”, and “*bu*” furnished, to a

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1 commercial enterprise for use exclusively by the commercial
2 enterprise. The use of prewritten computer software, a
3 specified digital product, or service fails to qualify as a
4 use exclusively by the commercial enterprise if its use for
5 noncommercial purposes is more than de minimis.
6 *b.* For purposes of this subsection:
7 (1) “*Commercial enterprise*” means the same as defined in
8 section 423.3, subsection 47, paragraph “*d*”, subparagraph (1),
9 but also includes professions and occupations.
10 (2) “*De minimis*” and “*noncommercial purposes*” shall be
11 defined by the director by rule.
12 NEW SUBSECTION. 104. The sales price of specified digital
13 products sold to a non-end user. For purposes of this
14 subsection, “*non-end user*” means a person who receives by
15 contract a specified digital product for further commercial
16 broadcast, rebroadcast, transmission, retransmission,
17 licensing, relicensing, distribution, redistribution, or
18 exhibition of the product, in whole or in part, to another
19 person.
20 NEW SUBSECTION. 105. The sales price for transportation
21 services furnished by emergency or nonemergency medical
22 transportation, by a paratransit service, and by a public
23 transit system as defined in section 324A.1.
24 Sec. 197. Section 423.4, subsection 3, unnumbered paragraph
25 1, Code 2018, is amended to read as follows:
26 A relief agency may apply to the director for refund of the
27 amount of sales or use tax imposed and paid upon sales to it
28 of any ~~goods, wares, merchandise, tangible personal property~~
29 or specified digital products, or services furnished, used for
30 free distribution to the poor and needy.
31 Sec. 198. Section 423.4, subsection 3, paragraph a,
32 subparagraph (1), Code 2018, is amended to read as follows:
33 (1) On forms furnished by the department, and filed within
34 the time as the director shall provide by rule, the relief
35 agency shall report to the department the total amount or

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1 amounts, valued in money, expended directly or indirectly
 2 for goods, wares, merchandise, tangible personal property or
 3 specified digital products, or services furnished, used for
 4 free distribution to the poor and needy.

5 Sec. 199. Section 423.4, subsection 10, paragraph e, Code
 6 2018, is amended to read as follows:

7 e. There is established within the state treasury under the
 8 control of the department a baseball and softball complex sales
 9 tax rebate fund consisting of the amount of state sales tax
 10 revenues transferred pursuant to section ~~423.2, subsection 11,~~
 11 ~~paragraph “b”, subparagraph (4)~~ 423.2A, subsection 2, paragraph
 12 “d”. An account is created within the fund for each baseball
 13 and softball complex receiving an award under section 15F.207
 14 and meeting the qualifications of this subsection. Moneys
 15 in the fund shall only be used to provide rebates of state
 16 sales tax pursuant to this subsection, and only the state sales
 17 tax revenues in the baseball and softball complex rebate fund
 18 are subject to rebate under this subsection. The amount of
 19 rebates paid from each baseball and softball complex’s account
 20 within the fund shall not exceed the amount of the award under
 21 section 15F.207, and not more than five million dollars in
 22 total rebates shall be paid from the fund. Any moneys in the
 23 fund which represent state sales tax revenue for which the time
 24 period in paragraph “c” for receiving a rebate has expired,
 25 or which otherwise represent state sales tax revenue that has
 26 become ineligible for rebate pursuant to this subsection, shall
 27 immediately revert to the general fund of this state.

28 Sec. 200. Section 423.4, subsection 11, paragraph b,
 29 subparagraph (1), Code 2018, is amended to read as follows:

30 (1) Sales tax imposed and collected by retailers upon
 31 sales of tangible personal property or services furnished to
 32 purchasers at the raceway facility. Notwithstanding the state
 33 sales tax imposed in section 423.2, a sales tax rebate issued
 34 pursuant to this subparagraph shall not exceed the amounts
 35 transferred to the raceway facility tax rebate fund pursuant to

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1 section ~~423.2, subsection 11, paragraph “b”, subparagraph (7)~~
 2 ~~423.2A, subsection 2, paragraph “g”~~.

3 Sec. 201. Section 423.4, subsection 11, paragraph b,
 4 subparagraph (2), subparagraph division (c), Code 2018, is
 5 amended to read as follows:

6 (c) Notwithstanding the state sales tax imposed in section
 7 423.2, a sales tax rebate issued pursuant to this subparagraph
 8 shall not exceed the amounts remaining after the transfers
 9 required under section ~~423.2, subsection 11, paragraph “b”,~~
 10 ~~subparagraphs (1) through (6)~~ 423.2A, subsection 2, paragraphs
 11 “a” through “f”, have been made from the total amount of sales
 12 tax for which the rebate is requested.

13 Sec. 202. Section 423.4, subsection 11, paragraph e, Code
14 2018, is amended to read as follows:

15 e. There is established within the state treasury under
16 the control of the department a raceway facility tax rebate
17 fund consisting of the amount of state sales tax revenues
18 transferred pursuant to section ~~423.2, subsection 11, paragraph~~
19 ~~"b", subparagraph (7)~~ 423.2A, subsection 2, paragraph "g". An
20 account is created within the fund for each raceway facility
21 meeting the qualifications of this subsection. Moneys in the
22 fund shall only be used to provide rebates of state sales tax
23 pursuant to paragraph "b", subparagraph (1). The total amount
24 of rebates paid from the fund shall not exceed the amount
25 specified in paragraph "c", subparagraph (4), subparagraph
26 division (a) or (b), whichever is applicable. Any moneys in
27 the fund which represent state sales tax revenue for which the
28 time period in paragraph "c" for receiving a rebate has expired,
29 or which otherwise represent state sales tax revenue that has
30 become ineligible for rebate pursuant to this subsection shall
31 immediately revert to the general fund of the state.

32 Sec. 203. Section 423.5, subsection 1, paragraph a, Code
33 2018, is amended to read as follows:

34 a. The use in this state of tangible personal property
35 as defined in section 423.1, including aircraft subject to

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1 registration under section 328.20, purchased for use in this
2 state. For the purposes of this subchapter, the furnishing
3 or use of the following services is also treated as the use
4 of tangible personal property: optional service or warranty
5 contracts, except residential service contracts regulated under
6 chapter 523C, vulcanizing, recapping, or retreading services,
7 engraving, ~~photography, retouching~~, printing, or binding
8 services, and communication service when furnished or delivered
9 to consumers or users within this state.

10 Sec. 204. Section 423.5, subsection 1, paragraph d, Code
11 2018, is amended to read as follows:

12 d. Purchases of tangible personal property or specified
13 digital products made from the government of the United States
14 or any of its agencies by ultimate consumers shall be subject
15 to the tax imposed by this section. Services purchased from
16 the same source or sources shall be subject to the service
17 tax imposed by this subchapter and apply to the user of the
18 services.

19 Sec. 205. Section 423.5, subsection 1, Code 2018, is amended
20 by adding the following new paragraph:

21 NEW PARAGRAPH. f.(1) The use in this state of specified
22 digital products. The tax applies whether the purchaser
23 obtains permanent use or less than permanent use of the
24 specified digital product, whether the use is conditioned or
25 not conditioned upon continued payment from the purchaser,
26 and whether the use is on a subscription basis or is not on a

27 subscription basis.

28 (2) The use of a digital code that may be used to obtain
29 or access a specified digital product shall be taxed in the
30 same manner as the specified digital product. For purposes of
31 this subparagraph, “*digital code*” means the same as defined in
32 section 423.2, subsection 9A.

33 Sec. 206. Section 423.5, subsection 3, Code 2018, is amended
34 to read as follows:

35 3. For the purpose of the proper administration of the use

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1 tax and to prevent its evasion, evidence that tangible personal
2 property ~~was or specified digital products were~~ sold by any
3 person for delivery in this state shall be prima facie evidence
4 that such tangible personal property ~~was or specified digital~~
5 ~~products were~~ sold for use in this state.

6 Sec. 207. Section 423.5, subsection 4, Code 2018, is amended
7 by striking the subsection.

8 Sec. 208. Section 423.6, unnumbered paragraph 1, Code 2018,
9 is amended to read as follows:

10 The use in this state of the following tangible personal
11 property, specified digital products, and services is exempted
12 from the tax imposed by this subchapter:

13 Sec. 209. Section 423.6, subsections 1, 2, 4, and 6, Code
14 2018, are amended to read as follows:

15 1. Tangible personal property, specified digital products,
16 and enumerated services, the sales price from the sale of which
17 are required to be included in the measure of the sales tax, if
18 that tax has been paid to the department or the retailer. This
19 exemption does not include vehicles subject to registration or
20 subject only to the issuance of a certificate of title.

21 2. The sale of tangible personal property, specified
22 digital products, or the furnishing of services in the regular
23 course of business.

24 4. All articles of tangible personal property and all
25 specified digital products brought into the state of Iowa by a
26 nonresident individual for the individual’s use or enjoyment
27 while within the state.

28 6. Tangible personal property, specified digital products,
29 or services the sales price of which is exempt from the sales
30 tax under section 423.3, except section 423.3, subsections 39
31 and 73, as it relates to the sale, but not the lease or rental,
32 of vehicles subject only to the issuance of a certificate of
33 title and as it relates to aircraft subject to registration
34 under section 328.20.

35 Sec. 210. Section 423.14, subsection 2, paragraphs b and c,

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1 Code 2018, are amended to read as follows:

2 b. The tax upon the use of all tangible personal property

3 and specified digital products other than that enumerated in
4 paragraph “a”, which is sold by a seller who is a retailer
5 maintaining a place of business in this state, or by such other
6 retailer or agent as the director shall authorize pursuant to
7 section 423.30 or its agent that is not otherwise required
8 to collect sales tax under the provisions of this chapter,
9 shall be collected by the retailer or agent and remitted to the
10 department, pursuant to the provisions of paragraph “e”, and
11 sections 423.24, 423.29, 423.30, 423.32, and 423.33.

12 c. The tax upon the use of all tangible personal property
13 and specified digital products not paid pursuant to paragraphs
14 “a” and “b” shall be paid to the department directly by any
15 person using the property within this state, pursuant to the
16 provisions of section 423.34.

17 Sec. 211. NEW SECTION. 423.14A Persons required to collect
18 sales and use tax — supplemental conditions, requirements, and
19 responsibilities.

20 1. For purposes of this section:

21 a. “*Iowa sales*” means sales of tangible personal property,
22 services, or specified digital products sourced to this state
23 pursuant to section 423.15, 423.16, 423.17, 423.19, or 423.20,
24 or that are otherwise sold in this state or for delivery into
25 this state.

26 b.(1) “*Marketplace facilitator*” means a person, including
27 any affiliate of the person, who facilitates a retail sale by
28 satisfying subparagraph divisions (a) and (b) as follows:

29 (a) The person directly or indirectly does any of the
30 following:

31 (i) Lists, makes available, or advertises tangible personal
32 property, services, or specified digital products for sale
33 by a marketplace seller in a marketplace owned, operated, or
34 controlled by the person.

35 (ii) Facilitates the sale of a marketplace seller’s

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1 product through a marketplace by transmitting or otherwise
2 communicating an offer or acceptance of a retail sale of
3 tangible personal property, services, or specified digital
4 products between a marketplace seller and a purchaser in a
5 forum including a shop, store, booth, catalog, internet site,
6 or similar forum.

7 (iii) Owns, rents, licenses, makes available, or operates
8 any electronic or physical infrastructure or any property,
9 process, method, copyright, trademark, or patent that connects
10 marketplace sellers to purchasers for the purpose of making
11 retail sales of tangible personal property, services, or
12 specified digital products.

13 (iv) Provides a marketplace for making retail sales of
14 tangible personal property, services, or specified digital
15 products, or otherwise facilitates retail sales of tangible
16 personal property, services, or specified digital products,

17 regardless of ownership or control of the tangible personal
18 property, services, or specified digital products that are the
19 subject of the retail sale.
20 (v) Provides software development or research and
21 development activities related to any activity described in
22 this subparagraph division (a), if such software development or
23 research and development activities are directly related to the
24 physical or electronic marketplace provided by a marketplace
25 provider.
26 (vi) Provides or offers fulfillment or storage services for
27 a marketplace seller.
28 (vii) Sets prices for a marketplace seller's sale of
29 tangible personal property, services, or specified digital
30 products.
31 (viii) Provides or offers customer service to a marketplace
32 seller or a marketplace seller's customers, or accepts or
33 assists with taking orders, returns, or exchanges of tangible
34 personal property, services, or specified digital products sold
35 by a marketplace seller.

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1 (ix) Brands or otherwise identifies sales as those of the
2 marketplace facilitator.
3 (b) The person directly or indirectly does any of the
4 following:
5 (i) Collects the sales price or purchase price of a retail
6 sale of tangible personal property, services, or specified
7 digital products.
8 (ii) Provides payment processing services for a retail sale
9 of tangible personal property, services, or specified digital
10 products.
11 (iii) Charges, collects, or otherwise receives selling
12 fees, listing fees, referral fees, closing fees, fees for
13 inserting or making available tangible personal property,
14 services, or specified digital products on a marketplace, or
15 other consideration from the facilitation of a retail sale of
16 tangible personal property, services, or specified digital
17 products, regardless of ownership or control of the tangible
18 personal property, services, or specified digital products that
19 are the subject of the retail sale.
20 (iv) Through terms and conditions, agreements, or
21 arrangements with a third party, collects payment in connection
22 with a retail sale of tangible personal property, services,
23 or specified digital products from a purchaser and transmits
24 that payment to the marketplace seller, regardless of whether
25 the person collecting and transmitting such payment receives
26 compensation or other consideration in exchange for the
27 service.
28 (v) Provides a virtual currency that purchasers are allowed
29 or required to use to purchase tangible personal property,
30 services, or specified digital products.

31 (2) “*Marketplace facilitator*” includes but is not limited
32 to a person who satisfies the requirements of this paragraph
33 through the ownership, operation, or control of a digital
34 distribution service, digital distribution platform, online
35 portal, or application store.

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1 (3) A “*rental platform*”, as defined in section 423C.2, that
2 meets the requirements described in section 423C.3, subsection
3 3, paragraph “c”, subparagraph (2), shall not be considered
4 a “*marketplace facilitator*” with respect to any sale of a
5 transportation service under section 423.2, subsection 6,
6 paragraph “bf”, or section 423.5, subsection 1, paragraph “e”,
7 consisting of the rental of vehicles subject to registration
8 which are registered for a gross weight of thirteen tons or
9 less for a period of sixty days or less.

10 c. “*Marketplace seller*” means any of the following:

11 (1) A seller that makes retail sales through any physical
12 or electronic marketplace owned, operated, or controlled by a
13 marketplace facilitator, even if such seller would not have
14 been required to collect and remit sales and use tax had the
15 sale not been made through such marketplace.

16 (2) A seller that makes retail sales resulting from a
17 referral by a referrer, even if such seller would not have been
18 required to collect and remit sales and use tax had the sale
19 not been made through such referrer.

20 2. In addition to and not in lieu of any application of
21 this chapter to sellers who are retailers and sellers who are
22 retailers maintaining a place of business in this state, any
23 person described in subsection 3, or the person’s agents,
24 shall be considered a retailer in this state and a retailer
25 maintaining a place of business in this state for purposes of
26 this chapter on or after January 1, 2019, and shall be subject
27 to all requirements of this chapter imposed on retailers and
28 retailers maintaining a place of business in this state,
29 including but not limited to the requirement to collect and
30 remit sales and use taxes pursuant to sections 423.14 and
31 423.29, and local option taxes under chapter 423B.

32 3.a. A retailer that has gross revenue from Iowa sales
33 equal to or exceeding one hundred thousand dollars for an
34 immediately preceding calendar year or a current calendar year.

35 b. A retailer that makes Iowa sales in two hundred or more

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1 separate transactions for an immediately preceding calendar
2 year or a current calendar year.

3 c.(1) A retailer that owns, licenses, or uses software
4 or data files that are installed or stored on property used
5 in this state. For purposes of this subparagraph, “*software*
6 or *data files*” include but are not limited to software that is

- 7 affirmatively downloaded by a user, software that is downloaded
8 as a result of the use of a website, preloaded software, and
9 cookies.
- 10 (2) A retailer that uses in-state software to make Iowa
11 sales. For purposes of this subparagraph, "*in-state software*"
12 means computer software that is installed or stored on property
13 located in this state or that is distributed within this state
14 for the purpose of facilitating a sale by the retailer.
- 15 (3) A retailer that provides, or enters into an agreement
16 with another person to provide, a content distribution network
17 in this state to facilitate, accelerate, or enhance the
18 delivery of the retailer's internet site to purchasers. For
19 purposes of this subparagraph, "*content distribution network*"
20 means a system of distributed servers that deliver internet
21 sites and other internet content to a user based on the
22 geographic location of the user, the origin of the internet
23 site or internet content, and a content delivery server.
- 24 (4) This paragraph "c" shall not apply to a retailer that
25 has gross revenue from Iowa sales of less than one hundred
26 thousand dollars for an immediately preceding calendar year or
27 a current calendar year.
- 28 d.(1) A marketplace facilitator that makes or facilitates
29 Iowa sales on its own behalf or for one or more marketplace
30 sellers equal to or exceeding one hundred thousand dollars,
31 or in two hundred or more separate transactions, for an
32 immediately preceding calendar year or a current calendar year.
- 33 (2) A marketplace facilitator shall collect sales and
34 use tax on the entire sales price or purchase price paid by
35 a purchaser on each Iowa sale subject to sales and use tax

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- 1 that is made or facilitated by the marketplace facilitator,
2 regardless of whether the marketplace seller for whom an Iowa
3 sale is made or facilitated has or is required to have a
4 retail sales tax permit or would have been required to collect
5 sales and use tax had the sale not been facilitated by the
6 marketplace facilitator, and regardless of the amount of the
7 sales price or purchase price that will ultimately accrue
8 to or benefit the marketplace facilitator, the marketplace
9 seller, or any other person. This sales and use tax collection
10 responsibility of a marketplace facilitator applies but shall
11 not be limited to sales facilitated through a computer software
12 application, commonly referred to as in-app purchases, or
13 through another specified digital product.
- 14 (3) A marketplace facilitator shall be relieved of
15 liability under this paragraph "d" for failure to collect and
16 remit sales and use tax on an Iowa sale made or facilitated for
17 a marketplace seller under the following circumstances and up
18 to the amounts permitted under the following circumstances:
- 19 (a) If the marketplace facilitator demonstrates to the
20 satisfaction of the department that the marketplace facilitator

21 has made a reasonable effort to obtain accurate information
22 from the marketplace seller about a retail sale and that
23 the failure to collect and remit the correct tax was due to
24 incorrect information provided to the marketplace facilitator
25 by the marketplace seller, then the marketplace facilitator
26 shall be relieved of liability for that retail sale. This
27 subparagraph division does not apply with regard to a retail
28 sale for which the marketplace facilitator is the seller or if
29 the marketplace facilitator and the seller are affiliates. For
30 Iowa sales for which a marketplace facilitator is relieved of
31 liability under this subparagraph division, the marketplace
32 seller and purchaser are liable for any amount of uncollected,
33 unpaid, or unremitted tax.
34 (b)(i) Subject to the limitation in subparagraph
35 subdivision (ii), if the marketplace facilitator demonstrates

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1 to the satisfaction of the department that the Iowa sale was
2 made or facilitated for a marketplace seller prior to January
3 1, 2026, through a marketplace of the marketplace facilitator,
4 that the marketplace facilitator is not the seller and that
5 the marketplace facilitator and the seller are not affiliates,
6 and that the failure to collect sales and use tax was due to
7 an error other than an error in sourcing the sale. To the
8 extent that a marketplace facilitator is relieved of liability
9 for collection of sales and use tax under this subparagraph
10 division, the marketplace seller for whom the marketplace
11 facilitator has made or facilitated the Iowa sale is also
12 relieved of liability. The department may determine the manner
13 in which a marketplace facilitator or marketplace seller shall
14 claim the liability relief provided in this subparagraph
15 division.
16 (ii) The liability relief provided in subparagraph
17 subdivision (i) shall not exceed the following percentage
18 of the total sales and use tax due on Iowa sales made or
19 facilitated by a marketplace facilitator for marketplace
20 sellers and sourced to this state during a calendar year,
21 which Iowa sales shall not include sales by the marketplace
22 facilitator or affiliates of the marketplace facilitator:
23 (A) For Iowa sales made or facilitated during the 2019
24 calendar year, ten percent.
25 (B) For Iowa sales made or facilitated during calendar years
26 2020 through 2024, five percent.
27 (C) For Iowa sales made or facilitated during the 2025
28 calendar year, three percent.
29 (c) Nothing in this subparagraph (3) shall be construed to
30 relieve any person of liability for collecting but failing to
31 remit to the department sales and use tax.
32 (d) A marketplace facilitator is deemed to be an agent
33 of any marketplace seller making retail sales through a
34 marketplace of the marketplace facilitator.

35 e.(1) A referrer if, for any immediately preceding

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- 1 calendar year or a current calendar year, one hundred thousand
2 dollars or more in Iowa sales or two hundred or more separate
3 Iowa sales transactions result from referrals from a platform
4 of the referrer. A referrer is not required to collect and
5 remit sales and use tax pursuant to this paragraph if the
6 referrer does all of the following:
- 7 (a) The referrer posts a conspicuous notice on each platform
8 of the referrer that includes all of the following:
 - 9 (i) A statement that sales or use tax is due on certain
10 purchases.
 - 11 (ii) A statement that the marketplace seller from whom the
12 person is purchasing on the platform may or may not collect and
13 remit sales and use tax on a purchase.
 - 14 (iii) A statement that Iowa requires the purchaser to pay
15 sales or use tax and file sales or use tax returns if sales
16 or use tax is not collected at the time of the sale by the
17 marketplace seller.
 - 18 (iv) Information informing the purchaser that the notice is
19 provided under the requirements of this subparagraph.
 - 20 (v) Instructions for obtaining additional information from
21 the department regarding whether and how to remit sales and use
22 tax to the state of Iowa.
 - 23 (b) The referrer provides a monthly notice to each
24 marketplace seller to whom the referrer made a referral of a
25 potential customer located in Iowa during the previous calendar
26 year, which monthly notice shall contain all of the following:
 - 27 (i) A statement that Iowa imposes a sales or use tax on Iowa
28 sales.
 - 29 (ii) A statement that a marketplace facilitator or other
30 retailer making Iowa sales must collect and remit sales and use
31 tax.
 - 32 (iii) Instructions for obtaining additional information
33 from the department regarding the collection and remittance of
34 Iowa sales and use tax.
 - 35 (c) The referrer provides the department with monthly

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- 1 reports in an electronic format and in the manner prescribed
2 by the department, which monthly reports contain all of the
3 following:
- 4 (i) A list of marketplace sellers who received the
5 referrer's notice under subparagraph division (b).
 - 6 (ii) A list of marketplace sellers that collect and
7 remit Iowa sales and use tax and that list or advertise the
8 marketplace seller's products for sale on a platform of the
9 referrer.
 - 10 (iii) An affidavit signed under penalty of perjury from

11 an officer of the referrer affirming that the referrer made
12 reasonable efforts to comply with the applicable sales and use
13 tax notice and reporting requirements of this subparagraph.

14 (2) A referrer is deemed to be an agent of any marketplace
15 seller making retail sales resulting from a referral of the
16 referrer.

17 (3) For purposes of this paragraph:

18 (a) *“Platform”* means an electronic or physical medium,
19 including but not limited to an internet site or catalog, that
20 is owned, operated, or controlled by a referrer.

21 (b) *“Referral”* means the transfer through telephone,
22 internet link, or other means by a referrer of a potential
23 customer to a retailer or seller who advertises or lists
24 products for sale on a platform of the referrer.

25 (c)(i) *“Referrer”* means a person who does all of the
26 following:

27 (A) Contracts or otherwise agrees with a retailer, seller,
28 or marketplace facilitator to list or advertise for sale a
29 product of the retailer, seller, or marketplace facilitator on
30 a platform, provided such listing or advertisement identifies
31 whether or not the retailer, seller, or marketplace facilitator
32 collects sales and use tax.

33 (B) Receives a commission, fee, or other consideration
34 from the retailer, seller, or marketplace facilitator for the
35 listing or advertisement.

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1 (C) Provides referrals to a retailer, seller, or
2 marketplace facilitator, or an affiliate of a retailer, seller,
3 or marketplace facilitator.

4 (D) Does not collect money or other consideration from the
5 customer for the transaction.

6 (ii) *“Referrer”* does not include any of the following:

7 (A) A person primarily engaged in the business of printing
8 or publishing a newspaper.

9 (B) A person who does not provide the retailer’s, seller’s,
10 or marketplace facilitator’s shipping terms and who does
11 not advertise whether a retailer, seller, or marketplace
12 facilitator collects sales or use tax.

13 (4) This paragraph only applies to referrals by a referrer
14 and shall not preclude the applicability of other provisions
15 of this section to a person who is a referrer and is also a
16 retailer, a marketplace facilitator, or a marketplace seller.

17 f.(1) A retailer that makes Iowa sales through the use of
18 a solicitor. For purposes of this paragraph, *“solicitor”* means
19 a person that directly or indirectly solicits business for a
20 retailer.

21 (2)(a) A retailer is deemed to have a solicitor in
22 this state if the retailer enters into an agreement with a
23 resident under which the resident, for a commission, fee, or
24 other similar consideration, directly or indirectly refers

25 potential customers, whether by link on an internet site,
26 or otherwise, to the retailer. This determination may be
27 rebutted by a showing of proof that the resident with whom the
28 retailer has an agreement did not engage in any solicitation
29 in this state on behalf of the retailer that would satisfy the
30 nexus requirement of the United States Constitution during the
31 calendar year in question.

32 (b) This subparagraph (2) shall not apply to a retailer that
33 has Iowa gross revenue from Iowa sales of ten thousand dollars
34 or less for an immediately preceding calendar year or a current
35 calendar year.

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1 (c) For purposes of this subparagraph (2):

2 (i) "*Iowa gross revenue*" means gross revenue from Iowa
3 sales to purchasers who were referred to the retailer by all
4 solicitors who are residents.

5 (ii) "*Resident*" includes an individual who is a resident
6 of this state, as defined in section 422.4, and any business
7 that owns any tangible or intangible property with a situs in
8 this state, or that has one or more employees performing or
9 providing services for the business in this state.

10 (d) This paragraph "*f*" does not apply to chapter 422 and
11 does not expand or contract the state's jurisdiction to tax a
12 trade or business under chapter 422.

13 g. A retailer that owns, controls, rents, licenses, makes
14 available, or uses any tangible or intangible property in this
15 state or with a situs in this state, to make or otherwise
16 facilitate a retail sale.

17 h.(1) Any person that enters into a contract or agreement
18 with a governmental entity, including but not limited to
19 contracts for the provision of financial assistance or
20 incentives such as a tax credit, forgivable loan, grant, tax
21 rebate, or any other thing of value. For purposes of this
22 subparagraph, "*governmental entity*" means any unit of government
23 in the executive, legislative, or judicial branch, or any
24 political subdivision of the state, including but not limited
25 to a city, county, township, or school district.

26 (2) Every bid submitted and each contract or agreement
27 executed by a state agency shall contain a certification by
28 the bidder or contractor stating that the bidder or contractor
29 is registered with the department pursuant to this chapter
30 and will collect and remit Iowa sales and use tax due under
31 this chapter. In the certification, the bidder or contractor
32 shall also acknowledge that the state agency may declare the
33 contractor or bid void if the certification is false or becomes
34 false. Fraudulent certification, by act or omission, may
35 result in the state agency or its representative filing for

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1 damages for breach of contract.

2 *i.* Any affiliate of any person that is required to collect
3 and remit sales and use tax under this chapter, provided the
4 affiliate makes retail sales.

5 Sec. 212. NEW SECTION. 423.14B Sales and use tax reporting
6 **requirements — penalties.**

7 1. For purposes of this section, “*Iowa sales*” and
8 “*marketplace facilitator*” all mean the same as defined in
9 section 423.14A.

10 2. The department may, in its discretion, adopt rules
11 pursuant to chapter 17A establishing and imposing notice and
12 reporting requirements related to Iowa sales for retailers,
13 including but not limited to marketplace facilitators,
14 who do not collect and remit sales and use tax under this
15 chapter. The rules may include but are not limited to rules
16 requiring retailers, including but not limited to marketplace
17 facilitators, to do any of the following:

18 *a.* Notify purchasers at the time of an Iowa sales
19 transaction of sales and use tax obligations under this
20 chapter.

21 *b.* Provide purchasers with periodic reports of purchases
22 that are Iowa sales.

23 *c.* Provide the department with annual reports that include
24 but are not limited to information relating to purchases,
25 purchasers, and Iowa sales.

26 *3.a.* The department may adopt rules pursuant to chapter
27 17A establishing and imposing penalties as described in and
28 subject to the dollar limitations of paragraph “*b*”, provided
29 that any such penalty shall include a procedure for waiver
30 of the penalty upon a showing of reasonable cause for such
31 failure.

32 *b.(1)* The department may impose penalties for failure to
33 provide a notification to a purchaser in the manner and form
34 prescribed by the department by rule. Such penalties shall not
35 exceed five dollars for each failure.

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1 (2) The department may impose penalties for failure to
2 provide a purchaser with a periodic report of purchases in the
3 manner and form prescribed by the department by rule. Such
4 penalties shall not exceed ten dollars for each failure.

5 (3) The department may impose penalties for failure to
6 provide the department with an annual report in the manner
7 and form prescribed by the department. Such penalties shall
8 not exceed an amount per annual report equal to ten dollars
9 multiplied by the number of purchasers for whom information
10 should have been but was not included in the annual report.

11 Sec. 213. Section 423.15, unnumbered paragraph 1, Code
12 2018, is amended to read as follows:

13 All sales of ~~products~~ tangible personal property, services,

14 or specified digital products, except those sales enumerated
 15 in section 423.16, shall be sourced according to this section
 16 by sellers obligated to collect Iowa sales and use tax. The
 17 sourcing rules described in this section apply to sales of
 18 tangible personal property, specified digital goods products,
 19 and all services other than telecommunications services. This
 20 section only applies to determine a seller's obligation to pay
 21 or collect and remit a Iowa sales or use tax with respect to
 22 the seller's sale of a product. This section does not affect
 23 the obligation of a purchaser or lessee to remit tax on the use
 24 of the product to the taxing jurisdictions in which the use
 25 occurs. A seller's obligation to collect Iowa sales tax or
 26 Iowa use tax only occurs if the sale is sourced to this state.
 27 ~~Whether Iowa sales tax applies to a sale sourced to Iowa shall~~
 28 ~~be determined based on the location at which the sale is~~
 29 ~~consummated by delivery or, in the case of a service, where the~~
 30 ~~first use of the service occurs made by a seller subject to~~
 31 section 423.1, subsection 48, or section 423.14A.
 32 Sec. 214. Section 423.15, subsection 1, paragraph e, Code
 33 2018, is amended to read as follows:
 34 e. When paragraphs "a", "b", "c", and "d" do not apply,
 35 including the circumstance where the seller is without

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1 sufficient information to apply the previous rules, then the
 2 location will be determined by the address from which tangible
 3 personal property was shipped, from which the specified digital
 4 good product or the computer software delivered electronically
 5 was first available for transmission by the seller, or from
 6 which the service was provided disregarding for these purposes
 7 any location that merely provided the digital transfer of the
 8 product sold.

9 Sec. 215. Section 423.22, Code 2018, is amended to read as
 10 follows:

11 **423.22 Taxation in another state.**

12 If any person who causes tangible personal property or
 13 specified digital products to be brought into this state or
 14 who uses in this state services enumerated in section 423.2
 15 has already paid a tax in another state in respect to the sale
 16 or use of the property or the performance of the service, or
 17 an occupation tax in respect to the property or service, in
 18 an amount less than the tax imposed by subchapter II or III,
 19 the provisions of those subchapters shall apply, but at a rate
 20 measured by the difference only between the rate fixed by
 21 subchapter II or III and the rate by which the previous tax on
 22 the sale or use, or the occupation tax, was computed. If the
 23 tax imposed and paid in the other state is equal to or more than
 24 the tax imposed by those subchapters, then a tax is not due in
 25 this state on the personal property or service.

26 Sec. 216. Section 423.29, subsection 1, Code 2018, is
 27 amended to read as follows:

28 1. Every seller who is a retailer and who is making taxable

29 sales of tangible personal property or specified digital
 30 products in Iowa shall, at the time of ~~selling the property~~
 31 making the sale, collect the sales tax. Every seller who
 32 is a retailer ~~maintaining a place of business in this state~~
 33 that is not otherwise required to collect sales tax under the
 34 provisions of this chapter and who is selling tangible personal
 35 property or specified digital products for use in Iowa shall,

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1 at the time of making the sale, whether within or without the
 2 state, collect the use tax. Sellers required to collect sales
 3 or use tax shall give to any purchaser a receipt for the tax
 4 collected in the manner and form prescribed by the director.
 5 Sec. 217. Section 423.30, subsection 1, Code 2018, is
 6 amended to read as follows:
 7 1. The director may, upon application, authorize the
 8 collection of the use tax by any seller who is a retailer not
 9 maintaining a place of business within this state and not
 10 registered under the agreement, who, to the satisfaction of
 11 the director, furnishes adequate security to ensure collection
 12 and payment of the tax. Such sellers shall be issued, without
 13 charge, permits to collect tax subject to any regulations
 14 which the director shall prescribe. When so authorized, it
 15 shall be the duty of foreign sellers to collect the tax upon
 16 all tangible personal property and specified digital products
 17 sold, to the retailer's knowledge, for use within this state,
 18 in the same manner and subject to the same requirements as a
 19 retailer maintaining a place of business within this state.
 20 The authority and permit may be canceled when, at any time, the
 21 director considers the security inadequate, or that tax can
 22 more effectively be collected from the person using property
 23 in this state.
 24 Sec. 218. Section 423.31, subsection 1, Code 2018, is
 25 amended to read as follows:
 26 1. Each person subject to this section and section 423.36
 27 and in accordance with the provisions of this section and
 28 section 423.36 shall, on or before the last day of the month
 29 following the close of each calendar quarter during which
 30 such person is or has become or ceased being subject to the
 31 provisions of this section and section 423.36, make, sign, and
 32 file a return for the calendar quarter in the form as may be
 33 required. Returns shall show information relating to sales
 34 prices including ~~goods, wares,~~ tangible personal property,
 35 specified digital products, and services converted to the

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1 use of such person, the amounts of sales prices excluded and
 2 exempt from the tax, the amounts of sales prices subject to
 3 tax, a calculation of tax due, and any other information for
 4 the period covered by the return as may be required. Returns

5 shall be signed by the retailer or the retailer's authorized
6 agent and must be certified by the retailer to be correct in
7 accordance with forms and rules prescribed by the director.

8 Sec. 219. Section 423.31, subsection 5, paragraph a, Code
9 2018, is amended to read as follows:

10 a. Upon making application and receiving approval from
11 the director, a ~~parent corporation person~~ and its ~~affiliated~~
12 ~~corporations affiliates~~ that make retail sales of tangible
13 personal property, specified digital products, or taxable
14 enumerated services may make deposits and file a consolidated
15 sales tax return for the affiliated group, pursuant to rules
16 adopted by the director. A ~~parent corporation person~~ and each
17 affiliate ~~corporation~~ that files a consolidated return are
18 jointly and severally liable for all tax, penalty, and interest
19 found due for the tax period for which a consolidated return is
20 filed or required to be filed.

21 Sec. 220. Section 423.32, subsection 1, paragraph b, Code
22 2018, is amended to read as follows:

23 b. The deposit form is due on or before the twentieth day of
24 the month following the month of collection, except a deposit
25 is not required for the third month of the calendar quarter,
26 and the total quarterly amount, less the amounts deposited for
27 the first two months of the quarter, is due with the quarterly
28 report on the last day of the month following the month of
29 collection. At that time, the retailer shall file with the
30 department a return for the preceding quarterly period in the
31 form prescribed by the director showing the purchase price of
32 the tangible personal property, specified digital products, and
33 services sold by the retailer during the preceding quarterly
34 period, the use of which is subject to the use tax imposed
35 by this chapter, and other information the director deems

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1 necessary for the proper administration of the use tax.

2 Sec. 221. Section 423.33, subsection 3, Code 2018, is
3 amended to read as follows:

4 3. *Event sponsor's liability for sales tax.* A person
5 sponsoring a flea market or a craft, antique, coin, or stamp
6 show or similar event shall obtain from every retailer selling
7 tangible personal property, specified digital products,
8 or taxable services at the event proof that the retailer
9 possesses a valid sales tax permit or secure from the retailer
10 a statement, taken in good faith, that tangible personal
11 property, specified digital products, or services offered for
12 sale are not subject to sales tax. Failure to do so renders
13 a sponsor of the event liable for payment of any sales tax,
14 interest, and penalty due and owing from any retailer selling
15 property or services at the event. Sections 423.31, 423.32,
16 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 apply to the
17 sponsors. For purposes of this subsection, a "*person sponsoring*
18 *a flea market or a craft, antique, coin, or stamp show or similar*

19 *event*” does not include an organization which sponsors an
 20 event determined to qualify as an event involving casual sales
 21 pursuant to section 423.3, subsection 39, or the state fair or
 22 a fair as defined in section 174.1.

23 Sec. 222. Section 423.33, Code 2018, is amended by adding
 24 the following new subsection:

25 **NEW SUBSECTION. 4. *Liability of affiliates.***

26 *a.* Notwithstanding any other provision of law to the
 27 contrary, if any retailer required to collect and remit sales
 28 and use tax pursuant to sections 423.14, 423.14A, and 423.29,
 29 or any other provision of this chapter, fails to do so, all
 30 affiliates that directly, indirectly, or constructively control
 31 the retailer shall be jointly and severally liable for any tax,
 32 penalty, and interest under this chapter, regardless of whether
 33 the affiliate is a retailer.

34 *b.* Pursuant to paragraph “*a*”, the department may elect
 35 to assess the full amount of any tax, penalty, and interest

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1 against the retailer, an affiliate of the retailer described
 2 in paragraph “*a*”, or any combination of the retailer and the
 3 retailer’s affiliates described in paragraph “*a*”.

4 *c.* Notwithstanding any other provision of law to the
 5 contrary, the department has the discretion to deem an
 6 affiliate of a retailer an agent or alter ego of that retailer.

7 *d.* Notwithstanding any other provision of law to the
 8 contrary, the department has the discretion to disregard or
 9 look through any organizational structure of an enterprise in
 10 order to assess and collect any tax, penalty, and interest
 11 against an affiliate that is acting to benefit an affiliate or
 12 an enterprise of which the affiliate is a part.

13 Sec. 223. Section 423.34, Code 2018, is amended to read as
 14 follows:

15 **423.34 Liability of user.**

16 Any person who uses any tangible personal property,
 17 specified digital products, or services enumerated in section
 18 423.2 upon which the use tax has not been paid, either to the
 19 county treasurer or to a retailer or direct to the department
 20 as required by this subchapter, shall be liable for the payment
 21 of tax, and shall on or before the last day of the month next
 22 succeeding each quarterly period pay the use tax upon all
 23 property or services used by the person during the preceding
 24 quarterly period in the manner and accompanied by such returns
 25 as the director shall prescribe. All of the provisions of
 26 sections 423.32 and 423.33 with reference to the returns and
 27 payments shall be applicable to the returns and payments
 28 required by this section.

29 Sec. 224. Section 423.36, subsection 1, Code 2018, is
 30 amended to read as follows:

31 1. A person shall not engage in or transact business as a
 32 retailer making taxable sales of tangible personal property,

33 specified digital products, or furnishing services within
34 this state or as a retailer making taxable sales of tangible
35 personal property, specified digital products, or furnishing

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1 services for use within this state, unless a permit has been
2 issued to the retailer under this section, except as provided
3 in subsection 7. Every person desiring to engage in or
4 transact business as a retailer shall file with the department
5 an application for a permit to collect sales or use tax. Every
6 application for a sales or use tax permit shall be made upon
7 a form prescribed by the director and shall set forth any
8 information the director may require. The application shall
9 be signed by an owner of the business if a natural person; in
10 the case of a retailer which is an association or partnership,
11 by a member or partner; and in the case of a retailer which
12 is a corporation, by an executive officer or some person
13 specifically authorized by the corporation to sign the
14 application, to which shall be attached the written evidence of
15 the person's authority.

16 Sec. 225. Section 423.36, subsection 2, paragraph a, Code
17 2018, is amended to read as follows:

18 *a.* Notwithstanding subsection 1, if any person will make
19 taxable sales of tangible personal property, specified digital
20 products, or furnish services to any state agency, that person
21 shall, prior to the sale, apply for and receive a permit to
22 collect sales or use tax pursuant to this section. A state
23 agency shall not purchase tangible personal property, specified
24 digital products, or services from any person unless that
25 person has a valid, unexpired permit issued pursuant to this
26 section and is in compliance with all other requirements in
27 this chapter imposed upon retailers, including but not limited
28 to the requirement to collect and remit sales and use tax and
29 file sales and use tax returns.

30 Sec. 226. Section 423.36, subsection 7, paragraph b, Code
31 2018, is amended to read as follows:

32 *b.* Persons engaged in selling tangible personal property,
33 specified digital products, or furnishing services shall not be
34 required to obtain or retain a sales tax permit for a place of
35 business at which taxable sales of tangible personal property,

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1 specified digital products, or taxable performance of services
2 will not occur.

3 Sec. 227. Section 423.36, subsection 9, paragraph a, Code
4 2018, is amended to read as follows:

5 *a.* Except as provided in paragraph "b", purchasers, users,
6 and consumers of tangible personal property, specified digital
7 products, or enumerated services taxed pursuant to subchapter
8 II or III of this chapter or chapter 423B may be authorized,

9 pursuant to rules adopted by the director, to remit tax owed
10 directly to the department instead of the tax being collected
11 and paid by the seller. To qualify for a direct pay tax permit,
12 the purchaser, user, or consumer must accrue a tax liability
13 of more than four thousand dollars in tax under subchapters
14 II and III in a semimonthly period and make deposits and file
15 returns pursuant to section 423.31. This authority shall not
16 be granted or exercised except upon application to the director
17 and then only after issuance by the director of a direct pay
18 tax permit.

19 Sec. 228. Section 423.40, subsection 2, Code 2018, is
20 amended to read as follows:

21 2.a. Any person who knowingly sells tangible personal
22 property, specified digital products, tickets or admissions
23 to places of amusement and athletic events, or gas, water,
24 electricity, or communication service at retail, or engages in
25 the furnishing of services enumerated in section 423.2, in this
26 state without procuring a permit to collect tax, as provided
27 in section 423.36, or who violates section 423.24 and the
28 officers of any corporation who so act are guilty of a serious
29 misdemeanor.

30 b. A person who knowingly sells tangible personal property,
31 specified digital products, tickets or admissions to places of
32 amusement and athletic events, or gas, water, electricity, or
33 communication service at retail, or engages in the furnishing
34 of services enumerated in section 423.2, in this state after
35 the person's sales tax permit has been revoked and before it

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1 has been restored as provided in section 423.36, subsection 6,
2 and the officers of any corporation who so act are guilty of an
3 aggravated misdemeanor.

4 Sec. 229. Section 423.41, Code 2018, is amended to read as
5 follows:

6 **423.41 Books — examination.**

7 Every retailer required or authorized to collect taxes
8 imposed by this chapter and every person using in this state
9 tangible personal property, specified digital products,
10 services, or the product of services shall keep records,
11 receipts, invoices, and other pertinent papers as the director
12 shall require, in the form that the director shall require,
13 for as long as the director has the authority to examine and
14 determine tax due. The director or any duly authorized agent
15 of the department may examine the books, papers, records,
16 and equipment of any person ~~either~~ selling tangible personal
17 property, specified digital products, or services or liable
18 for the tax imposed by this chapter, and investigate the
19 character of the business of any person in order to verify
20 the accuracy of any return made, or if a return was not made
21 by the person, ascertain and determine the amount due under
22 this chapter. These books, papers, and records shall be made

23 available within this state for examination upon reasonable
24 notice when the director deems it advisable and so orders. If
25 the taxpayer maintains any records in an electronic format,
26 the taxpayer shall comply with reasonable requests by the
27 director or the director's authorized agents to provide those
28 electronic records in a standard record format. The preceding
29 requirements shall likewise apply to users and persons
30 furnishing services enumerated in section 423.2.
31 Sec. 230. Section 423.45, subsection 4, paragraphs a, b, and
32 e, Code 2018, are amended to read as follows:
33 a. The department shall issue or the seller may separately
34 provide exemption certificates in the form prescribed by the
35 director, including certificates not made of paper, which

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1 conform to the requirements of paragraph "c", to assist
2 retailers in properly accounting for nontaxable sales of
3 tangible personal property, specified digital products,
4 or services to purchasers for a nontaxable purpose. The
5 department shall also allow the use of exemption certificates
6 for those circumstances in which a sale is taxable but the
7 seller is not obligated to collect tax from the buyer.
8 b. The sales tax liability for all sales of tangible
9 personal property and specified digital products and all sales
10 of services is upon the seller and the purchaser unless the
11 seller takes from the purchaser a valid exemption certificate
12 stating under penalty of perjury that the purchase is for a
13 nontaxable purpose and is not a retail sale as defined in
14 section 423.1, or the seller is not obligated to collect tax
15 due, or unless the seller takes a fuel exemption certificate
16 pursuant to subsection 5. If the tangible personal property,
17 specified digital products, or services are purchased tax free
18 pursuant to a valid exemption certificate and the tangible
19 personal property, specified digital products, or services are
20 used or disposed of by the purchaser in a nonexempt manner, the
21 purchaser is solely liable for the taxes and shall remit the
22 taxes directly to the department and sections 423.31, 423.32,
23 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 shall apply
24 to the purchaser.
25 e. If the circumstances change and as a result the tangible
26 personal property, specified digital products, or services are
27 used or disposed of by the purchaser in a nonexempt manner or
28 the purchaser becomes obligated to pay the tax, the purchaser
29 is liable solely for the taxes and shall remit the taxes
30 directly to the department in accordance with this subsection.
31 Sec. 231. Section 423.57, Code 2018, is amended to read as
32 follows:
33 **423.57 Statutes applicable.**
34 The director shall administer this subchapter as it relates
35 to the taxes imposed in this chapter in the same manner and

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1 subject to all the provisions of, and all of the powers,
2 duties, authority, and restrictions contained in sections
3 423.14, 423.14A, 423.14B, 423.15, 423.16, 423.17, 423.19,
4 423.20, 423.21, 423.22, 423.23, 423.24, 423.25, 423.29, 423.31,
5 423.32, 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38,
6 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection
7 1, and sections 423.45, 423.46, and 423.47.

8 Sec. 232. Section 423.58, Code 2018, is amended to read as
9 follows:

10 **423.58 Collection, permit, and tax return exemption for**
11 **certain out-of-state businesses.**

12 Notwithstanding sections 423.14, 423.14A, 423.14B, 423.29,
13 423.31, 423.32, and 423.36, a person meeting the requirements
14 of section 29C.24 is not required to obtain a sales or use tax
15 permit, collect and remit sales and use tax, or make and file
16 applicable sales or use tax returns, as provided in section
17 29C.24, subsection 3, paragraph "a", subparagraph (2).

18 Sec. 233. Section 423B.5, subsection 1, Code 2018, is
19 amended to read as follows:

20 1. A local sales and services tax at the rate of not more
21 than one percent may be imposed by a county on the sales price
22 taxed by the state under chapter 423, subchapter II. A local
23 sales and services tax shall be imposed on the same basis as
24 the state sales and services tax or in the case of the use of
25 natural gas, natural gas service, electricity, or electric
26 service on the same basis as the state use tax and shall not
27 be imposed on the sale of any property or on any service not
28 taxed by the state, except the tax shall not be imposed on
29 the sales price from the sale of motor fuel or special fuel
30 as defined in chapter 452A which is consumed for highway use
31 or in watercraft or aircraft if the fuel tax is paid on the
32 transaction and a refund has not or will not be allowed, on the
33 sales price from the sale of equipment by the state department
34 of transportation, or on the sales price from the sale or use
35 of natural gas, natural gas service, electricity, or electric

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1 service in a city or county where the sales price from the sale
2 of natural gas or electric energy is subject to a franchise
3 fee or user fee during the period the franchise or user fee
4 is imposed. A local sales and services tax is applicable
5 to transactions within those incorporated and unincorporated
6 areas of the county where it is imposed and, which transactions
7 include but are not limited to sales sourced pursuant to
8 section 423.15, 423.17, 423.19, or 423.20, to a location within
9 that city or unincorporated area of the county. The tax shall
10 be collected by all persons required to collect state sales
11 taxes. All cities contiguous to each other shall be treated
12 as part of one incorporated area and the tax would be imposed

13 in each of those contiguous cities only if the majority of
 14 those voting in the total area covered by the contiguous cities
 15 favors its imposition. In the case of a local sales and
 16 services tax submitted to the registered voters of two or more
 17 contiguous counties as provided in section 423B.1, subsection
 18 4, paragraph "c", all cities contiguous to each other shall be
 19 treated as part of one incorporated area, even if the corporate
 20 boundaries of one or more of the cities include areas of more
 21 than one county, and the tax shall be imposed in each of those
 22 contiguous cities only if a majority of those voting on the tax
 23 in the total area covered by the contiguous cities favored its
 24 imposition.

25 Sec. 234. Section 423B.6, subsection 2, paragraph b, Code
 26 2018, is amended to read as follows:

27 b. The ordinance of a county board of supervisors imposing
 28 a local sales and services tax shall adopt by reference the
 29 applicable provisions of the appropriate sections of chapter
 30 423. All powers and requirements of the director to administer
 31 the state sales tax law and use tax law are applicable to the
 32 administration of a local sales and services tax law and the
 33 local excise tax, including but not limited to the provisions
 34 of section 422.25, subsection 4, sections 422.30, 422.67,
 35 and 422.68, section 422.69, subsection 1, sections 422.70

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1 through 422.75, section 423.14, subsection 1 and subsection
 2 2, paragraphs "b" through "e", and sections 423.14A, 423.15,
 3 423.23, 423.24, 423.25, 423.31 through 423.35, 423.37 through
 4 423.42, 423.46, and 423.47. Local officials shall confer
 5 with the director of revenue for assistance in drafting the
 6 ordinance imposing a local sales and services tax. A certified
 7 copy of the ordinance shall be filed with the director as soon
 8 as possible after passage.

9 Sec. 235.LEGISLATIVE INTENT. It is the intent of the
 10 general assembly that the provisions of this division of this
 11 Act amending the definition of "place of business" in section
 12 423.1, subsection 37, and "sales" in section 423.1, subsection
 13 50, enacting definitions of "sold at retail in the state" in
 14 section 423.1, subsection 55A, and "subscription" in section
 15 423.1, subsection 57A, and amending the enumerated service of
 16 pay television in 423.2, subsection 6, paragraph "a)", are
 17 conforming amendments consistent with current state law, and
 18 that the amendments do not change the application of current
 19 law but instead reflect current law both before and after the
 20 enactment of this division of this Act.

21 Sec. 236.RELATIONSHIP TO EXISTING LAW FOR TAXATION OF
 22 SPECIFIED DIGITAL PRODUCTS. The provisions of this division of
 23 this Act relating to the imposition of tax on the sale or use of
 24 "specified digital products", as defined in this division of
 25 this Act, shall not be construed as affecting the taxability
 26 or nontaxability under other provisions of existing law of

27 sales or uses occurring prior to the enactment of this division
 28 of this Act of products meeting the definition of “specified
 29 digital products”, as defined in this division of this Act.
 30 Sec. 237.EFFECTIVE DATE. Except as otherwise provided
 31 in this division of this Act, this division of this Act takes
 32 effect January 1, 2019.
 33 Sec. 238.EFFECTIVE DATE. The following, being deemed of
 34 immediate importance, take effect upon enactment:
 35 1. The sections of this division of this Act amending

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1 section 423.1, subsections 37 and 50.
 2 2. The sections of this division of this Act enacting
 3 section 423.1, subsections 55A and 57A.
 4 3. The section of this division of this Act amending section
 5 423.3, subsection 47, paragraph “d”, subparagraph (4).
 6 4. The provision amending the enumerated service of pay
 7 television to include but not be limited to streaming video,
 8 video on-demand, and pay-per-view, in the section of this
 9 division of this Act amending section 423.2, subsection 6, by
 10 designating paragraph “al”.
 11 5. The section of this division of this Act entitled
 12 “legislative intent” which describes the intent of the general
 13 assembly with respect to certain amendments in this division of
 14 this Act to the definition of “place of business” in section
 15 423.1, subsection 37, “sales” in section 423.1, subsection 50,
 16 the enactment of a definition for “subscription” in section
 17 423.1, subsection 57A, and “sold at retail” in section 423.1,
 18 subsection 55A, and amendments to the enumerated service of pay
 19 television in section 423.2, subsection 6, paragraph “al”.
 20 Sec. 239.EFFECTIVE DATE. The following take effect July
 21 1, 2018:

22 1. The section of this division of this Act amending section
 23 423.2, subsection 1, paragraph “a”, subparagraph (1).
 24 2. The provisions adding photography and retouching to the
 25 list of enumerated services subject to the sales tax in the
 26 section of this division of this Act amending section 423.2,
 27 subsection 6, by enacting paragraphs “bo” and “bp”.
 28 3. The section of this division of this Act enacting section
 29 423.2, subsection 8, paragraph “d”.
 30 4. The section of this division of this Act amending section
 31 423.5, subsection 1, paragraph “a”.

DIVISION XII

33 APPROVAL AND IMPOSITION OF LOCAL OPTION SALES AND SERVICES TAX
 34 Sec. 240. Section 423B.1, subsection 2, paragraph b,
 35 subparagraph (3), Code 2018, is amended to read as follows:

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1 (3) The tax once imposed shall continue to be imposed until
 2 the county-imposed tax is ~~reduced or increased in rate or~~

3 repealed, and then the city-imposed tax shall also be reduced
 4 or increased in rate or repealed in the same amount and be
 5 effective on the same date.

6 Sec. 241. Section 423B.1, subsections 3, 4, and 5, Code
 7 2018, are amended to read as follows:

8 3.a. A local option tax shall be imposed only after an
 9 election at which If a majority of those voting on the question
 10 of imposition of a local option tax favors imposition and, the
 11 local option tax shall then be imposed at the rate specified
 12 on the ballot until repealed as provided in subsection 6;
 13 paragraph “a” this chapter.

14 b. If the tax is a local vehicle tax imposed by a county,
 15 it shall apply to all incorporated and unincorporated areas of
 16 the county.

17 c. (1) If the tax is a local sales and services tax
 18 imposed by a county, it shall only apply to those incorporated
 19 areas and the unincorporated area of that county in which a
 20 majority of those voting in the area on the tax favors its
 21 imposition. For purposes of the local sales and services tax,
 22 all cities contiguous to each other shall be treated as part of
 23 one incorporated area and the tax would be imposed in each of
 24 those contiguous cities only if the majority of those voting
 25 in the total area covered by the contiguous cities favors its
 26 imposition. In the case of a local sales and services tax
 27 submitted to the registered voters of two or more contiguous
 28 counties as provided in subsection 4, paragraph “e”, all cities
 29 contiguous to each other shall be treated as part of one
 30 incorporated area, even if the corporate boundaries of one or
 31 more of the cities include areas of more than one county, and
 32 the tax shall be imposed in each of those contiguous cities
 33 only if a majority of those voting on the tax in the total area
 34 covered by the contiguous cities favored its imposition. For
 35 purposes of the local sales and services tax, a city is not

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1 contiguous to another city if the only road access between the
 2 two cities is through another state.

3 (2) The treatment of contiguous cities as one incorporated
 4 area for the purpose of determining whether a majority of those
 5 voting favors imposition does not apply to elections on the
 6 question of imposition of a local sales and services tax in
 7 all or a portion of a county that is a qualified county if the
 8 election occurs on or after January 1, 2019. For purposes
 9 of this chapter, “qualified county” means a county with a
 10 population in excess of four hundred thousand, a county with
 11 a population of at least one hundred thirty thousand but not
 12 more than one hundred thirty-one thousand, or a county with a
 13 population of at least sixty thousand but not more than seventy
 14 thousand, according to the 2010 federal decennial census.

15 4.a.(1) A The county board of supervisors shall direct
 16 within thirty days the county commissioner of elections to

17 submit the question of imposition of a local vehicle tax ~~or~~
 18 ~~a local sales and services tax~~ to the registered voters of
 19 the incorporated and unincorporated areas of the county upon
 20 receipt of a petition; requesting imposition of a local vehicle
 21 tax ~~or a local sales and services tax~~, signed by eligible
 22 electors of the whole county equal in number to five percent of
 23 the persons in the whole county who voted at the last preceding
 24 general election. ~~In the case of a local vehicle tax, the~~ The
 25 petition requesting imposition shall specify the rate of tax
 26 and the classes, if any, that are to be exempt. If more than
 27 one valid petition is received, the earliest received petition
 28 shall be used.

29 (2) The county board of supervisors shall direct within
 30 thirty days the county commissioner of elections to submit the
 31 question of imposition of a local sales and services tax to the
 32 registered voters of the incorporated and unincorporated areas
 33 of the county upon receipt of a petition requesting imposition
 34 of a local sales and services tax, signed by eligible electors
 35 of the whole county equal in number to five percent of the

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1 persons in the whole county who voted at the last preceding
 2 general election. If more than one valid petition is received,
 3 the earliest received petition shall be used.

4 (3) In lieu of the petition requirement of subparagraph
 5 (2), the county board of supervisors for a county that is a
 6 qualified county shall direct within thirty days the county
 7 commissioner of elections to submit the question of imposition
 8 of a local sales and services tax to the registered voters of a
 9 city, or the portion thereof located in the county, or to the
 10 registered voters of the unincorporated area of the county upon
 11 receipt by the board of supervisors of a petition requesting
 12 imposition of a local sales and services tax, signed by
 13 eligible electors of the city, or the portion thereof located
 14 in the county, or eligible electors of the unincorporated area
 15 of the county, as applicable, equal in number to five percent
 16 of the persons in the city, or applicable portion thereof, or
 17 in the unincorporated area of the county who voted at the last
 18 preceding general election. If more than one valid petition
 19 is received for a city or for the unincorporated area of the
 20 county, the earliest received petition shall be used. This
 21 subparagraph applies to petitions received on or after January
 22 1, 2019.

23 b.(1) The question of the imposition of a local sales
 24 and services tax shall be submitted to the registered voters
 25 of the incorporated and unincorporated areas of the county
 26 upon receipt by the county commissioner of elections of the
 27 motion or motions, requesting such submission, adopted by
 28 the governing body or bodies of the city or cities located
 29 within the county or of the county, for the unincorporated
 30 areas of the county, representing at least one half of the

31 population of the county. Upon adoption of such motion, the
 32 governing body of the city or county, for the unincorporated
 33 areas, shall submit the motion to the county commissioner of
 34 elections and in the case of the governing body of the city
 35 shall notify the board of supervisors of the adoption of the

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1 motion. The county commissioner of elections shall keep a file
 2 on all the motions received and, upon reaching the population
 3 requirements, shall publish notice of the ballot proposition
 4 concerning the imposition of the local sales and services tax.
 5 A motion ceases to be valid at the time of the holding of the
 6 regular election for the election of members of the governing
 7 body ~~which that~~ adopted the motion. The county commissioner of
 8 elections shall eliminate from the file any motion that ceases
 9 to be valid.

10 (2) In lieu of the motion requirements of subparagraph (1),
 11 the question of the imposition of a local sales and services
 12 tax shall be submitted to the registered voters of a city
 13 located in a county that is a qualified county, or the portion
 14 thereof located in the county, or to the registered voters
 15 of the unincorporated area of a county that is a qualified
 16 county upon receipt by the county commissioner of elections of
 17 a motion requesting such submission, adopted by the governing
 18 body of the city or the county for the unincorporated area of
 19 the county, as applicable. Upon adoption of such motion, the
 20 governing body of the city or county for the unincorporated
 21 area shall submit the motion to the county commissioner of
 22 elections. The county commissioner of elections shall publish
 23 notice of the ballot proposition concerning the imposition of
 24 the local sales and services tax. This subparagraph applies to
 25 motions received by the county commissioner of elections on or
 26 after January 1, 2019.

27 (3) The manner methods provided under this paragraph for the
 28 submission of the question of imposition of a local sales and
 29 services tax is an alternative are alternatives to the manner
 30 methods provided in paragraph "a".

31 e. Upon receipt of petitions or motions calling for the
 32 submission of the question of the imposition of a local sales
 33 and services tax as described in paragraph "a" or "b", the
 34 boards of supervisors of two or more contiguous counties in
 35 which the question is to be submitted may enter into a joint

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1 agreement providing that for purposes of this chapter, a
 2 city whose corporate boundaries include areas of more than
 3 one county shall be treated as part of the county in which a
 4 majority of the residents of the city reside. In such event,
 5 the county commissioners of elections from each such county
 6 shall cooperate in the selection of a single date upon which

7 the election shall be held, and for all purposes of this
 8 chapter relating to the imposition, repeal, change of use,
 9 or collection of the tax, such a city shall be deemed to be
 10 part of the county in which a majority of the residents of the
 11 city reside. A copy of the joint agreement shall be provided
 12 promptly to the director of revenue.

13 5.a. The county commissioner of elections shall submit
 14 the question of imposition of a local option tax at an election
 15 held on a date specified in section 39.2, subsection 4,
 16 paragraph "a" or "b", as applicable. The election shall not be
 17 held sooner than sixty days after publication of notice of the
 18 ballot proposition.

19 b. The ballot proposition shall specify the type and rate of
 20 tax and, in the case of a vehicle tax, the classes that will be
 21 exempt and, in the case of a local sales and services tax, the
 22 date it will be imposed which date shall not be earlier than
 23 ninety days following the election. The ballot proposition
 24 shall also specify the approximate amount of local option tax
 25 revenues that will be used for property tax relief, subject to
 26 the requirement of section 423B.7, subsection 7, paragraph "b",
 27 and shall contain a statement as to the specific purpose or
 28 purposes for which the revenues shall otherwise be expended.
 29 If the county board of supervisors or governing body of the
 30 city, as applicable, decides under subsection 6 to specify a
 31 date on which the local option sales and services tax shall
 32 automatically be repealed, the date of the repeal shall also be
 33 specified on the ballot.

34 c. The rate of the vehicle tax shall be in increments of one
 35 dollar per vehicle as set by the petition seeking to impose the

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1 tax.

2 d. The rate of a local sales and services tax shall not be
 3 more than one percent as set by the governing body.

4 e. The state commissioner of elections shall establish by
 5 rule the form for the ballot proposition which form shall be
 6 uniform throughout the state.

7 Sec. 242. Section 423B.1, subsection 6, paragraph a,
 8 subparagraph (1), Code 2018, is amended by striking the
 9 subparagraph.

10 Sec. 243. Section 423B.1, subsection 6, paragraph a,
 11 subparagraphs (2) and (3), Code 2018, are amended to read as
 12 follows:

13 (2)(a) The A local option tax may be repealed or the
 14 rate of the local vehicle tax increased or decreased or the
 15 use thereof of a local option tax changed after an election at
 16 which a majority of those voting on the question of repeal or
 17 rate or use change favored favors the repeal or rate or use
 18 change.

19 (b) The date on which the repeal, rate, or use change is
 20 to take effect shall not be earlier than ninety days following

21 the election. The election at which the question of repeal
 22 or rate or use change is offered shall be called and held in
 23 the same manner and under the same conditions as provided in
 24 subsections 4 and 5 for the election on the imposition of the
 25 local option tax. However, in the case of a local sales and
 26 services tax where the tax has not been imposed countywide, the
 27 question of repeal or imposition ~~or rate~~ or use change shall
 28 be voted on only by the registered voters of the areas of the
 29 county where the tax has been imposed or has not been imposed,
 30 as appropriate.

31 ~~(c) However, the~~ The governing body of the ~~incorporated~~
 32 ~~area city~~ or unincorporated area where the local sales and
 33 services tax is imposed may, upon its own motion, request the
 34 county commissioner of elections to hold an election in the
 35 ~~incorporated city, or portion thereof located in the county,~~

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1 or unincorporated area, as appropriate, on the question of the
 2 change in use of local sales and services tax revenues. The
 3 election may be held at any time but not sooner than sixty days
 4 following publication of the ballot proposition. If a majority
 5 of those voting in the ~~incorporated city, or portion thereof~~
 6 located in the county, or unincorporated area on the change in
 7 use favors the change, the governing body of that area shall
 8 change the use to which the revenues shall be used. The ballot
 9 proposition shall list the present use of the revenues, the
 10 proposed use, and the date after which revenues received will
 11 be used for the new use.

12 (3) When submitting the question of the imposition of a
 13 local sales and services tax, the ~~county~~ board of supervisors
 14 ~~or if the election is initiated under subsection 4, paragraph~~
 15 "a", subparagraph (3), or subsection 4, paragraph "b",
 16 subparagraph (2), the governing board of a city, may direct
 17 that the question contain a provision for the repeal, without
 18 election, of the local sales and services tax on a specific
 19 date, which date shall be as provided in section 423B.6,
 20 subsection 1.

21 Sec. 244. Section 423B.1, subsection 7, paragraph b, Code
 22 2018, is amended to read as follows:

23 *b.* Costs of local option tax elections shall be apportioned
 24 among jurisdictions within the county voting on the question
 25 at the same election on a pro rata basis in proportion to the
 26 number of registered voters in each taxing jurisdiction voting
 27 on the question and the total number of registered voters in
 28 all of the taxing jurisdictions voting on the question.

29 Sec. 245. Section 423B.1, subsection 8, Code 2018, is
 30 amended by striking the subsection.

31 Sec. 246. Section 423B.1, subsections 9 and 10, Code 2018,
 32 are amended to read as follows:

33 9.a. In a county that has imposed a local option sales and
 34 services tax, the board of supervisors shall, notwithstanding

35 any contrary provision of this chapter, repeal the local

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1 option sales and services tax in the unincorporated areas or
 2 in an incorporated city area in which the tax has been imposed
 3 upon adoption of ~~its~~ the board's own motion for repeal in the
 4 unincorporated areas or upon receipt of a motion adopted by
 5 the governing body of that incorporated city area requesting
 6 repeal. The board of supervisors shall repeal the local
 7 option sales and services tax effective on the ~~later of the~~
 8 ~~date of the adoption of the repeal motion or the earliest date~~
 9 specified in section 423B.6, subsection 1, following adoption
 10 of the motion. For purposes of this ~~subsection~~ paragraph,
 11 incorporated city area includes an incorporated city which is
 12 contiguous to another incorporated city.

13 b. If imposition of the local option sales and services tax
 14 is initiated under subsection 4, paragraph "a", subparagraph
 15 (3), or subsection 4, paragraph "b", subparagraph (2),
 16 notwithstanding any contrary provision of this chapter, the
 17 board of supervisors may repeal the local sales and services
 18 tax in a city, or portion thereof located in the county, upon
 19 receipt of a motion adopted by the governing board of the city
 20 requesting the repeal. The board of supervisors shall repeal
 21 the local sales and services tax effective on the earliest date
 22 specified in section 423B.6, subsection 1, following adoption
 23 of the motion.

24 10. Notwithstanding subsection 9 or any other contrary
 25 provision of this chapter, a local option sales and services
 26 tax shall not be repealed ~~or reduced in rate~~ if obligations are
 27 outstanding which are payable as provided in section 423B.9,
 28 unless funds sufficient to pay the principal, interest, and
 29 premium, if any, on the outstanding obligations at and prior
 30 to maturity have been properly set aside and pledged for that
 31 purpose.

32 Sec. 247. Section 423B.5, subsections 1 and 4, Code 2018,
 33 are amended to read as follows:

34 1. A local sales and services tax ~~at the rate of not more~~
 35 ~~than one percent~~ may be imposed by a county on the sales price

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1 taxed by the state under chapter 423, subchapter II. A local
 2 sales and services tax shall be imposed on the same basis as
 3 the state sales and services tax or in the case of the use of
 4 natural gas, natural gas service, electricity, or electric
 5 service on the same basis as the state use tax and shall not
 6 be imposed on the sale of any property or on any service not
 7 taxed by the state, except the tax shall not be imposed on
 8 the sales price from the sale of motor fuel or special fuel
 9 as defined in chapter 452A which is consumed for highway use
 10 or in watercraft or aircraft if the fuel tax is paid on the

11 transaction and a refund has not or will not be allowed,
 12 on the sales price from the sale of equipment by the state
 13 department of transportation, or on the sales price from the
 14 sale or use of natural gas, natural gas service, electricity,
 15 or electric service in a city or county where the sales price
 16 from the sale of natural gas or electric energy is subject to
 17 a franchise fee or user fee during the period the franchise
 18 or user fee is imposed. A local sales and services tax is
 19 applicable to transactions within those incorporated cities
 20 and unincorporated areas of the county where it is imposed and
 21 shall be collected by all persons required to collect state
 22 sales taxes. ~~All cities contiguous to each other shall be
 23 treated as part of one incorporated area and the tax would be
 24 imposed in each of those contiguous cities only if the majority
 25 of those voting in the total area covered by the contiguous
 26 cities favors its imposition. In the case of a local sales and
 27 services tax submitted to the registered voters of two or more
 28 contiguous counties as provided in section 423B.1, subsection
 29 4, paragraph "c", all cities contiguous to each other shall be
 30 treated as part of one incorporated area, even if the corporate
 31 boundaries of one or more of the cities include areas of more
 32 than one county, and the tax shall be imposed in each of those
 33 contiguous cities only if a majority of those voting on the
 34 tax in the total area covered by the contiguous cities favored
 35 its imposition. However, a local sales and services tax is~~

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1 not applicable to transactions sourced under chapter 423 to a
 2 place of business, as defined in section 423.1, of a retailer
 3 if such place of business is located in part within a city or
 4 unincorporated area of the county where the tax is not imposed.
 5 4. If a local sales and services tax is imposed by a county
 6 pursuant to this chapter, a local excise tax at the same rate
 7 shall be imposed by the county on the purchase price of natural
 8 gas, natural gas service, electricity, or electric service
 9 subject to tax under chapter 423, subchapter III, and not
 10 exempted from tax by any provision of chapter 423, subchapter
 11 III. The local excise tax is applicable only to the use of
 12 natural gas, natural gas service, electricity, or electric
 13 service within those incorporated cities and unincorporated
 14 areas of the county where it is imposed and, except as
 15 otherwise provided in this chapter, shall be collected and
 16 administered in the same manner as the local sales and services
 17 tax. For purposes of this chapter, "*local sales and services*
 18 *tax*" shall also include the local excise tax.
 19 Sec. 248. Section 423B.6, subsection 1, paragraph c, Code
 20 2018, is amended to read as follows:
 21 c. The imposition of ~~or a rate change for~~ a local sales and
 22 services tax shall not be applied to purchases from a printed
 23 catalog wherein a purchaser computes the local tax based on
 24 rates published in the catalog unless a minimum of one hundred

25 twenty days' notice of the imposition ~~or rate change~~ has been
 26 given to the seller from the catalog and the first day of a
 27 calendar quarter has occurred on or after the one hundred
 28 twentieth day.

29 Sec. 249. Section 423B.7, subsection 1, Code 2018, is
 30 amended to read as follows:

31 1.a. Except as provided in ~~paragraph~~ paragraphs "b" and
 32 "c", the director shall credit the local sales and services
 33 tax receipts and interest and penalties from a county-imposed
 34 tax to the county's account in the local sales and services
 35 tax fund ~~and from a city imposed tax under section 423B.1,~~

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1 ~~subsection 2, to the city's account in the local sales~~
 2 ~~and services tax fund for the county in which the tax was~~
 3 ~~collected.~~ If the director is unable to determine from which
 4 county any of the receipts were collected, those receipts shall
 5 be allocated among the possible counties based on allocation
 6 rules adopted by the director.

7 ~~b. Notwithstanding paragraph "a", the~~ The director shall
 8 credit the designated amount of the increase in local sales
 9 and services tax receipts, as computed in section 423B.10,
 10 collected in an urban renewal area of an eligible city that has
 11 adopted an ordinance pursuant to section 423B.10, subsection
 12 2, into a special city account in the local sales and services
 13 tax fund.

14 c. The director shall credit the local sales and services
 15 tax receipts and interest and penalties from a city-imposed tax
 16 under section 423B.1, subsection 2, to the city's account in
 17 the local sales and services tax fund.

18 Sec. 250. Section 423B.7, subsection 7, Code 2018, is
 19 amended to read as follows:

20 ~~7.a. Local~~ Subject to the requirement of paragraph "b",
 21 local sales and services tax moneys received by a city or
 22 county may be expended for any lawful purpose of the city or
 23 county.

24 b. Each city located in whole or in part in a qualified
 25 county and each qualified county for the unincorporated area
 26 for which the imposition of the local sales and services tax
 27 in the city or portion thereof or the unincorporated area,
 28 as applicable, was approved at election on or after January
 29 1, 2019, shall use not less than fifty percent of the moneys
 30 received from the qualified county's account in the local sales
 31 and services tax fund for property tax relief.

32 Sec. 251. Section 423B.8, subsection 1, paragraph a, Code
 33 2018, is amended to read as follows:

34 a. The goods, wares, or merchandise are incorporated into
 35 an improvement to real estate in fulfillment of a written

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1 contract fully executed prior to the date of the imposition ~~or~~
 2 ~~increase in rate~~ of a local sales and services tax under this
 3 chapter. The refund shall not apply to equipment transferred
 4 in fulfillment of a mixed construction contract.

5 Sec. 252.IMPLEMENTATION. This division of this Act shall
 6 not affect the imposition of local option taxes in effect on
 7 the effective date of this division of this Act and such taxes
 8 shall continue to be imposed until their repeal pursuant to
 9 chapter 423B. The law regarding repeal in effect at the time
 10 of the repeal governs the repeal of the local option taxes.

11 Sec. 253.EFFECTIVE DATE. This division of this Act takes
 12 effect January 1, 2019.

13 DIVISION XIII

14 HOTEL AND MOTEL EXCISE TAX AND AUTOMOBILE RENTAL EXCISE TAX 15 CHANGES

16 Sec. 254. Section 423A.2, subsection 1, Code 2018, is
 17 amended to read as follows:

18 1. For the purposes of this chapter, unless the context
 19 otherwise requires:

20 a. "Affiliate" means the same as defined in section 423.1.

21 ~~a.~~ b. "Department" means the department of revenue.

22 b. "Lessor" means any person engaged in the business of
 23 renting lodging to users.

24 c. "Facilitate" or "facilitation" includes brokering,
 25 coordinating, or in any way arranging for the rental of lodging
 26 by users.

27 d. "Facilitation fee" means any consideration, by whatever
 28 name called, that a lodging facilitator or lodging platform
 29 charges to a user for facilitating the user's rental of
 30 lodging. "Facilitation fee" does not include any commission
 31 a lodging provider pays to a lodging facilitator or a lodging
 32 platform for facilitating the rental of lodging.

33 ~~e.~~ e. "Lodging" means rooms, apartments, or sleeping
 34 quarters in a hotel, motel, inn, public lodging house, rooming
 35 house, cabin, apartment, residential property, or manufactured

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1 or mobile home which is tangible personal property, or in a
 2 tourist court, or in any place where sleeping accommodations
 3 are furnished to transient guests for rent, whether with or
 4 without meals. Lodging does not include conference, meeting,
 5 or banquet rooms that are not used for or offered as part of
 6 sleeping accommodations.

7 f. "Lodging facilitator" means a person or any affiliate of
 8 a person, other than a lodging provider or a lodging platform,
 9 that facilitates the renting of lodging and collects or
 10 processes the sales price charged to the user.

11 g. "Lodging platform" means a person or any affiliate of
 12 a person, other than a lodging provider, that facilitates the

13 renting of lodging by doing all of the following:

14 (1) The person or an affiliate of the person owns, operates,
 15 or controls a lodging marketplace that allows a lodging
 16 provider who is not an affiliate of the person to offer or
 17 list lodging for rent on the marketplace. For purposes of
 18 this subparagraph, it is immaterial whether or not the lodging
 19 provider has a tax permit under this chapter or in what manner
 20 the lodging is classified for property tax or zoning purposes.

21 (2) The person or an affiliate of the person collects or
 22 processes the sales price charged to the user.

23 h. "Lodging provider" means any of the following:

24 (1) A person or any affiliate of a person that owns,
 25 operates, or manages lodging and makes the lodging available
 26 for rent through the person or any affiliate, or through a
 27 lodging platform or a lodging facilitator.

28 (2) A person or any affiliate of a person who possesses or
 29 acquires a right to or interest in any lodging with an intent
 30 to rent the lodging to another person through the person or
 31 any affiliate, or through a lodging platform or a lodging
 32 facilitator.

33 d. i. "Person" means the same as the term is defined in
 34 section 423.1.

35 e. j. "Renting", "rental", or "rent" means a transfer

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1 of ~~use~~, possession, or control of lodging for a fixed or
 2 indeterminate term for consideration ~~and includes any kind of~~
 3 ~~direct or indirect charge for such lodging or its use.~~

4 ~~f. k. "Sales price" means the all consideration charged~~
 5 ~~for the renting and facilitation of renting of lodging and~~
 6 ~~means the same as the term is defined in section 423.1 before~~
 7 ~~taxes, including but not limited to facilitation fees, cleaning~~
 8 ~~fees, linen fees, towel fees, nonrefundable deposits, and any~~
 9 ~~other direct or indirect charge made or consideration provided~~
 10 ~~in connection with the renting and facilitation of renting of~~
 11 ~~lodging.~~

12 ~~g. l. "User" means a person to whom lodging is rented.~~

13 Sec. 255. Section 423A.3, Code 2018, is amended to read as
 14 follows:

15 **423A.3 State-imposed hotel and motel tax.**

16 A tax of five percent is imposed upon the sales price for
 17 the renting of any lodging if the ~~renting occurs~~ lodging is
 18 located in this state. The tax shall be collected by any
 19 lessor of lodging from the user of that lodging and remitted
 20 as provided in section 423A.5A. The lessor shall add the tax
 21 to the sales price of the lodging, and the state imposed tax,
 22 when collected, shall be stated as a distinct item, separate
 23 and apart from the sales price of the lodging and the local tax
 24 imposed, if any, under section 423A.4.

25 Sec. 256. Section 423A.4, Code 2018, is amended by adding
 26 the following new subsection:

27 NEW SUBSECTION. 5. The locally imposed hotel and motel tax
 28 shall be collected and remitted as provided in section 423A.5A.
 29 Sec. 257. Section 423A.5, Code 2018, is amended to read as
 30 follows:
 31 **423A.5 Exemptions.**
 32 1. There are exempted from the provisions of this chapter
 33 and from the computation of any amount of tax imposed by
 34 ~~section 423A.3~~ this chapter all of the following:
 35 a. 1. The sales price from the renting of lodging which is

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1 rented by the same person for a period of more than thirty-one
 2 consecutive days.
 3 b. 2. The sales price from the renting of sleeping rooms
 4 in dormitories ~~and in memorial unions~~ at all universities and
 5 colleges located in the state of Iowa.
 6 2. ~~There is exempted from the provisions of this chapter and~~
 7 ~~from the computation of any amount of tax imposed by section~~
 8 ~~423A.4 all of the following:~~
 9 a. ~~The sales price from the renting of lodging or rooms~~
 10 ~~exempt under subsection 1.~~
 11 b. 3. The sales price of lodging furnished to the guests of
 12 a religious institution if the property is exempt under section
 13 427.1, subsection 8, and the purpose of renting is to provide a
 14 place for a religious retreat or function and not a place for
 15 transient guests generally.
 16 Sec. 258. NEW SECTION. **423A.5A Collection and remittance**
 17 **of hotel and motel tax.**
 18 1. For purposes of this section:
 19 a. *“Discount room charge”* means the amount a lodging
 20 provider charges a lodging facilitator for lodging, excluding
 21 any applicable tax.
 22 b. *“Travel package”* means lodging bundled with one or more
 23 separate components such as air transportation, car rental, or
 24 similar items and charged for a single retail price.
 25 2. This section shall govern the collection and remittance
 26 of all taxes imposed under this chapter.
 27 3. Unless otherwise provided in this section, the
 28 state-imposed tax under section 423A.3 and any locally
 29 imposed tax under section 423A.4 shall be collected by the
 30 lodging provider from the user of that lodging and shall be
 31 remitted to the department. The lodging provider shall add
 32 the state-imposed tax to the sales price of the lodging and
 33 the tax, when collected, shall be stated as a distinct item,
 34 separate and apart from the sales price of the lodging and from
 35 the locally imposed tax, if any. The lodging provider shall

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1 add the locally imposed tax, if any, to the sales price of
 2 the lodging and the tax, when collected, shall be stated as a

3 distinct item, separate and apart from the sales price of the
4 lodging and from the state-imposed tax.

5 4. If a transaction for the rental of lodging involves a
6 lodging facilitator, all of the following shall occur in the
7 order prescribed:

8 a. The lodging facilitator shall collect the taxes imposed
9 under this chapter on any sales price that the user pays to the
10 lodging facilitator in the same manner as a lodging provider
11 under subsection 3.

12 b.(1) Unless otherwise required by rule or order of the
13 department, the lodging facilitator shall remit to the lodging
14 provider that portion of the taxes collected on the sales price
15 that represents the discount room charge.

16 (2) No assessment shall be made against a lodging
17 facilitator for tax due on a discount room charge if the
18 lodging facilitator collected the tax and remitted it to a
19 lodging provider that has a valid tax permit required under
20 this chapter. This subparagraph shall not apply if the lodging
21 facilitator and lodging provider are affiliates, or if the
22 department requires the lodging facilitator to remit taxes
23 collected on that portion of the sales price that represents
24 the discount room charge directly to the department.

25 c. The lodging facilitator shall remit any remaining tax it
26 collected to the department.

27 d.(1) The lodging provider shall collect and remit to the
28 department any taxes the lodging facilitator remitted to the
29 lodging provider, and shall collect and remit to the department
30 any taxes due on any amount of sales price the user paid to the
31 lodging provider.

32 (2) No assessment shall be made against a lodging provider
33 for any tax due on a discount room charge that was not remitted
34 to the lodging provider by a lodging facilitator. This
35 subparagraph shall not apply if the lodging provider and

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1 lodging facilitator are affiliates.

2 e. Notwithstanding any other provision of this section
3 to the contrary, if a lodging facilitator and its affiliates
4 facilitate total rentals under this chapter and chapter
5 423C that are equal to or less than an aggregate amount of
6 sales price and rental price of ten thousand dollars for an
7 immediately preceding calendar year or a current calendar year,
8 or in ten or fewer separate transactions for an immediately
9 preceding calendar year or a current calendar year, the lodging
10 facilitator shall not be required to collect tax on the amount
11 of sales price that represents the lodging facilitator's
12 facilitation fee.

13 5. If a transaction for the rental of lodging involves a
14 lodging platform, the lodging platform shall collect and remit
15 the taxes imposed under this chapter in the same manner as a
16 lodging provider under subsection 3.

17 6. If a transaction for the rental of lodging is part of a
 18 travel package, the portion of the total price that represents
 19 the sales price for the rental of lodging may be determined by
 20 the person required under this section to collect the taxes
 21 from the person's books and records that are kept in the
 22 regular course of business including but not limited to books
 23 and records kept for non-tax purposes.

24 Sec. 259. Section 423A.6, subsection 4, Code 2018, is
 25 amended to read as follows:

26 4. Section 422.25, subsection 4, sections 422.30, 422.67,
 27 and 422.68, section 422.69, subsection 1, sections 422.70,
 28 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
 29 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
 30 423.35, 423.37 through 423.42, and 423.47, consistent with the
 31 provisions of this chapter, apply with respect to the taxes
 32 authorized under this chapter, in the same manner and with the
 33 same effect as if the state and local hotel and motel taxes
 34 were retail sales taxes within the meaning of those statutes.
 35 Notwithstanding this subsection, the director shall provide

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1 for quarterly filing of returns and for other than quarterly
 2 filing of returns both as prescribed in section 423.31. The
 3 director may require all persons who are engaged in the
 4 business of deriving any sales price subject to tax under this
 5 chapter to register with the department. All taxes collected
 6 under this chapter by a retailer, lodging provider, lodging
 7 facilitator, lodging platform, or any individual other person
 8 are deemed to be held in trust for the state of Iowa and the
 9 local jurisdictions imposing the taxes.

10 Sec. 260. Section 423C.2, Code 2018, is amended to read as
 11 follows:

12 **423C.2 Definitions.**

13 For purposes of this chapter, unless the context otherwise
 14 requires:

- 15 1. "Affiliate" means the same as defined in section 423.1.
 16 ~~1. "Automobile"~~ 2. "Automobile" means a motor vehicle subject to
 17 registration in any state designed primarily for carrying
 18 nine passengers or less, excluding motorcycles and motorized
 19 bicycles.
 20 3. "Automobile provider" means any of the following:
 21 a. A person or any affiliate of a person that owns or
 22 controls an automobile and makes the automobile available for
 23 rent through the person or any affiliate, or through a rental
 24 platform or rental facilitator.
 25 b. A person or any affiliate of a person who possesses or
 26 acquires a right or interest in any automobile with an intent
 27 to rent the automobile to another person through the person
 28 or any affiliate, or through a rental platform or a rental
 29 facilitator.
 30 2. 4. "Department" means the department of revenue.

31 3. “Lessor” means a person engaged in the business of
 32 renting automobiles to users. “Lessor” includes a motor vehicle
 33 dealer licensed pursuant to chapter 322 who rents automobiles
 34 to users. For this purpose, the objective of making a profit
 35 is not necessary to make the renting activity a business.

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1 5. “Facilitate” or “facilitation” includes brokering,
 2 coordinating, or in any way arranging for the rental of
 3 automobiles by users.
 4 6. “Facilitation fee” means any consideration, by whatever
 5 name called, that a rental facilitator or a rental platform
 6 charges to a user for facilitating the user’s rental of an
 7 automobile. “Facilitation fee” does not include any commission
 8 an automobile provider pays to a rental facilitator or a rental
 9 platform for facilitating the rental of an automobile.
 10 4. 7. “Person” means person as defined in section 423.1.
 11 5. 8. “Rental”, “renting”, or “rent” means a transfer
 12 of the use, control, or possession or right to use, control,
 13 or possession of an automobile to a user for a valuable
 14 consideration for a period of sixty days or less.
 15 9. “Rental facilitator” means a person or any affiliate of a
 16 person, other than an automobile provider or a rental platform,
 17 that facilitates the renting of an automobile and collects or
 18 processes the rental price charged to the user.
 19 10. “Rental platform” means a person or any affiliate of a
 20 person, other than an automobile provider, that facilitates the
 21 renting of an automobile by doing all of the following:
 22 a. The person or an affiliate of the person owns, operates,
 23 or controls an automobile rental marketplace that allows an
 24 automobile provider who is not an affiliate of the person to
 25 offer or list an automobile for rent on the marketplace. For
 26 purposes of this paragraph, it is immaterial whether or not
 27 the automobile provider has a tax permit under this chapter or
 28 chapter 423 or whether the automobile is owned by a natural
 29 person or by a business entity.
 30 b. The person or an affiliate of the person collects or
 31 processes the rental price charged to the user.
 32 6. 11. “Rental price” means the all consideration charged
 33 for the renting and facilitation of renting of an automobile
 34 valued in money, and means the same as “sales price” as
 35 defined in section 423.1 before taxes, including but not

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1 limited to facilitation fees, reservation fees, services fees,
 2 nonrefundable deposits, and any other direct or indirect charge
 3 made or consideration provided in connection with the renting
 4 or facilitation of renting of an automobile.
 5 7. 12. “User” means a person to whom the possession or
 6 the right to possession of an automobile is transferred for

7 a period of sixty days or less for a valuable consideration
 8 which is paid by the user or by another person an automobile is
 9 rented.

10 Sec. 261. Section 423C.3, Code 2018, is amended to read as
 11 follows:

12 **423C.3 Tax on rental of automobiles — collection and**
 13 **remittance of tax.**

14 1. For purposes of this section:

15 a. "Discount rental charge" means the amount an automobile
 16 provider charges to a rental facilitator for the rental of an
 17 automobile, excluding any applicable tax.

18 b. "Travel package" means an automobile rental bundled
 19 with one or more separate components such as lodging, air
 20 transportation, or similar items and charged for a single
 21 retail price.

22 1. 2. A tax of five percent is imposed upon the rental
 23 price of an automobile if the rental transaction is subject to
 24 the sales and services tax under chapter 423, subchapter II, or
 25 the use tax under chapter 423, subchapter III. The tax shall
 26 not be imposed on any rental transaction not taxable under the
 27 state sales and services tax, as provided in section 423.3, or
 28 the state use tax, as provided in section 423.6, on automobile
 29 rental receipts.

30 2. 3. The lessor This subsection shall govern the
 31 collection and remittance of the tax imposed under subsection
 32 2.

33 a. Unless otherwise provided in this subsection, the
 34 automobile provider shall collect the tax by adding the tax to
 35 the rental price of the automobile.

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1 ~~3. The and the~~ tax, when collected, shall be stated as a
 2 distinct item separate and apart from the rental price of the
 3 automobile and the sales and services tax imposed under chapter
 4 423, subchapter II, or the use tax imposed under chapter 423,
 5 subchapter III.

6 b. If a transaction for the rental of an automobile involves
 7 a rental facilitator, all of the following shall occur in the
 8 order prescribed:

9 (1) The rental facilitator shall collect the tax on any
 10 rental price that the user pays to the rental facilitator in
 11 the same manner as an automobile provider under paragraph "a".

12 (2)(a) Unless otherwise required by rule or order of
 13 the department, the rental facilitator shall remit to the
 14 automobile provider that portion of the tax collected on the
 15 rental price that represents the discount rental charge.

16 (b) No assessment shall be made against a rental facilitator
 17 for tax due on a discount rental charge if the rental
 18 facilitator collected the tax and remitted it to an automobile
 19 provider that has a valid tax permit required under this
 20 chapter or under chapter 423. This subparagraph division shall

21 not apply if the rental facilitator and automobile provider
22 are affiliates, or if the department requires the rental
23 facilitator to remit taxes collected on that portion of the
24 sales price that represents the discount rental charge directly
25 to the department.

26 (3) The rental facilitator shall remit any remaining tax it
27 collected to the department.

28 (4)(a) The automobile provider shall collect and remit
29 to the department any taxes the rental facilitator remitted to
30 the automobile provider, and shall collect and remit to the
31 department any taxes due on any amount of rental price the user
32 paid to the automobile provider.

33 (b) No assessment shall be made against an automobile
34 provider for any tax due on a discount rental charge that
35 was not remitted to the automobile provider by a rental

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1 facilitator. This subparagraph division shall not apply if the
2 automobile provider and the rental facilitator are affiliates.

3 (5) Notwithstanding any other provision of this paragraph
4 to the contrary, if a rental facilitator and its affiliates
5 facilitate total rentals under this chapter and chapter
6 423A that are equal to or less than an aggregate amount of
7 rental price and sales price of ten thousand dollars for an
8 immediately preceding calendar year or a current calendar year,
9 or in ten or fewer separate transactions for an immediately
10 preceding calendar year or a current calendar year, the
11 rental facilitator shall not be required to collect tax on the
12 amount of sales price that represents the rental facilitator's
13 facilitation fee.

14 c.(1) If a transaction for the rental of an automobile
15 involves a rental platform, other than a rental platform
16 described in subparagraph (2), the rental platform shall
17 collect and remit the tax imposed under this chapter in the
18 same manner as an automobile provider under paragraph "a".

19 (2) A rental platform is not required to collect and remit
20 the tax imposed under this chapter in the same manner as an
21 automobile provider under paragraph "a" if the rental platform
22 meets all of the following requirements:

23 (a) The only sales the rental platform and its affiliates
24 facilitate that are subject to tax under chapter 423 are sales
25 of a transportation service under section 423.2, subsection 6,
26 paragraph "b", or section 423.5, subsection 1, paragraph "e",
27 consisting of the rental of vehicles subject to registration
28 which are registered for a gross weight of thirteen tons or
29 less for a period of sixty days or less.

30 (b) The rental platform operates a peer-to-peer automobile
31 sharing marketplace.

32 (3) For any rental transaction for which the rental platform
33 is required to or elects to collect and remit the tax under
34 this chapter, the rental platform shall also be liable for the

35 collection and remittance of any sales or use tax due on that

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1 transaction under section 423.2, subsection 6, paragraph “bf”
2 or section 423.5, subsection 1, paragraph “e”, notwithstanding
3 any other provision to the contrary in chapter 423.

4 (4) For any rental transaction for which the rental platform
5 is not required to collect and remit the tax under this chapter
6 as provided under subparagraph (2), the automobile provider
7 shall be solely liable for any amount of uncollected or
8 unremitted tax under this chapter.

9 Sec. 262.LEGISLATIVE INTENT. It is the intent of the
10 general assembly that the provision of this division of this
11 Act amending the definition of “lodging” in section 423A.2,
12 subsection 1, is a conforming amendment consistent with
13 current state law, and that the amendment does not change the
14 application of current law but instead reflects current law
15 both before and after the enactment of this division of this
16 Act.

17 Sec. 263.EFFECTIVE DATE. Except as otherwise provided
18 in this division of this Act, this division of this Act takes
19 effect January 1, 2019.

20 Sec. 264.EFFECTIVE DATE. The following, being deemed of
21 immediate importance, take effect upon enactment:

22 1. The provision amending the definition of “lodging” in the
23 section of this division of this Act amending section 423A.2,
24 subsection 1.

25 2. The section of this division of this Act entitled
26 “legislative intent” which describes the intent of the general
27 assembly with respect to the amendment in this division of
28 this Act to the definition of “lodging” in section 423A.2,
29 subsection 1.>

30 2. Title page, by striking lines 1 through 8 and inserting
31 <An Act relating to state and local revenue and finance by
32 modifying the individual and corporate income taxes, the
33 franchise tax, tax credits, the sales and use taxes and
34 local option sales tax, the hotel and motel excise tax, the
35 automobile rental excise tax, the Iowa educational savings plan

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1 trust, providing for other properly related matters, making
2 penalties applicable, and including immediate and contingent
3 effective date and retroactive and other applicability
4 provisions.>>

VANDER LINDEN of Mahaska

H-8478

1 Amend the amendment, H-8467, to House File 2493, as amended,

2 passed, and reprinted by the House, as follows:

- 3 1. By striking page 1, line 31, through page 2, line 19, and
 4 inserting:
 5 <INDEPENDENT INVESTIGATION OF IOWA FINANCE AUTHORITY
 6 Sec. __. FINANCIAL AND SEXUAL HARASSMENT INVESTIGATIONS
 7 OF IOWA FINANCE AUTHORITY. The independent investigators who
 8 have been selected to conduct an investigation of the Iowa
 9 finance authority shall each submit a report with a summary of
 10 the results of the independent investigator's investigation
 11 to the general assembly no later than December 1, 2018. The
 12 financial investigation shall include an analysis of all
 13 expenses reimbursed by the state to the former director of
 14 the authority and all employees of the authority for the
 15 period January 1, 2011, through June 30, 2018. Such expenses
 16 shall include all travel, lodging, meals, beverages, personal
 17 services, entertainment, office expenses, and all other
 18 expenditures not included in the authority's budget. The
 19 financial investigation shall also include an analysis of any
 20 personal financial or other personal accounts used by the
 21 former authority director or any employee of the authority to
 22 collect agency fees or other moneys collected by the authority.
 23 The sexual harassment investigation shall include a review
 24 of any conduct of current and former authority employees in
 25 violation of a state human resources policy or an authority
 26 personnel policy that is related to the termination of the
 27 former director of the authority.>
 28 2. By renumbering as necessary.

BEST of Carroll

H-8479

- 1 Amend the amendment, H-8273, to Senate File 2382, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 4 and 5.

BALTIMORE of Boone

H-8480

- 1 Amend House File 2500 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 15.352, subsection 10, Code 2018, is
 4 amended to read as follows:
 5 10. "*Small city*" means any city or township located in this
 6 state, except those located wholly within one or more of the
 7 eleven most populous counties in the state, as determined by
 8 the most recent federal decennial census. ~~For the purposes of
 9 this part, a small city that is located in more than one county
 10 shall be considered to be located in the county having the
 11 greatest taxable base within the small city.>~~
 12 2. Page 1, before line 27 by inserting:

- 13 <Sec. __.EFFECTIVE DATE. This Act, being deemed of
- 14 immediate importance, takes effect upon enactment.
- 15 Sec. __.APPLICABILITY. The following applies to housing
- 16 projects registered by the economic development authority under
- 17 the workforce housing tax incentives program on or after the
- 18 effective date of this Act:
- 19 The section of this Act amending section 15.352, subsection
- 20 10.>
- 21 3. Page 1, line 27, by striking <This Act applies> and
- 22 inserting <The following apply>
- 23 4. Page 1, line 30, by striking <2018.> and inserting
- 24 <2018:>
- 25 5. Page 1, after line 30 by inserting:
- 26 <1. The section of this Act amending section 15.354,
- 27 subsection 3, paragraph “c”.
- 28 2. The section of this Act relating to extension
- 29 applications made prior to August 1, 2018.>
- 30 6. Title page, line 3, before <and> by inserting <amending
- 31 the definition of small city,>
- 32 7. Title page, line 3, after <including> by inserting
- 33 <effective date and>
- 34 8. By renumbering as necessary.

McKEAN of Jones

H-8481

- 1 Amend House File 2502 as follows:
- 2 1. By striking everything after the enacting clause and
- 3 inserting:
- 4 <DIVISION I
- 5 STANDING APPROPRIATIONS AND RELATED MATTERS
- 6 Section 1. 2017 Iowa Acts, chapter 170, is amended by adding
- 7 the following new section:
- 8 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY — FY 2018-2019.
- 9 1. The appropriations made pursuant to section 2.12 for the
- 10 expenses of the general assembly and legislative agencies for
- 11 the fiscal year beginning July 1, 2018, and ending June 30,
- 12 2019, are reduced by the following amount:
- 13 \$ 1,517,318
- 14 2. The budgeted amounts for the general assembly and
- 15 legislative agencies for the fiscal year beginning July 1,
- 16 2018, may be adjusted to reflect the unexpended budgeted
- 17 amounts from the previous fiscal year.
- 18 3. Annual membership dues for organizations, associations,
- 19 and conferences shall not be paid from moneys appropriated
- 20 pursuant to section 2.12, except reimbursement for travel
- 21 expenses may be paid to commissioners serving on the commission
- 22 of uniform state laws.
- 23 4. Costs for out-of-state travel and per diems for
- 24 out-of-state travel shall not be paid from moneys appropriated

25 pursuant to section 2.12.

26 Sec. 2. 2017 Iowa Acts, chapter 170, is amended by adding
27 the following new section:

28 NEW SECTION. SEC. 6A. INSTRUCTIONAL SUPPORT STATE AID — FY
29 2018-2019. In lieu of the appropriation provided in section
30 257.20, subsection 2, the appropriation for the fiscal year
31 beginning July 1, 2018, and ending June 30, 2019, for paying
32 instructional support state aid under section 257.20 for such
33 fiscal years is zero.

34 Sec. 3. Section 257.35, Code 2018, is amended by adding the
35 following new subsection:

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1 NEW SUBSECTION. 12A. Notwithstanding subsection 1, and in
2 addition to the reduction applicable pursuant to subsection
3 2, the state aid for area education agencies and the portion
4 of the combined district cost calculated for these agencies
5 for the fiscal year beginning July 1, 2018, and ending June
6 30, 2019, shall be reduced by the department of management by
7 fifteen million dollars. The reduction for each area education
8 agency shall be prorated based on the reduction that the agency
9 received in the fiscal year beginning July 1, 2003.

10 Sec. 4.SALARY MODEL ADMINISTRATOR. The salary model
11 administrator shall work in conjunction with the legislative
12 services agency to maintain the state's salary model used for
13 analyzing, comparing, and projecting state employee salary
14 and benefit information, including information relating to
15 employees of the state board of regents. The department of
16 revenue, the department of administrative services, the five
17 institutions under the jurisdiction of the state board of
18 regents, the judicial district departments of correctional
19 services, and the state department of transportation shall
20 provide salary data to the department of management and the
21 legislative services agency to operate the state's salary
22 model. The format and frequency of provision of the salary
23 data shall be determined by the department of management and
24 the legislative services agency. The information shall be
25 used in collective bargaining processes under chapter 20 and
26 in calculating the funding needs contained within the annual
27 salary adjustment legislation. A state employee organization
28 as defined in section 20.3, subsection 4, may request
29 information produced by the model, but the information provided
30 shall not contain information attributable to individual
31 employees.

32 DIVISION II

33 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

34 Sec. 5. Section 331.424A, subsection 9, Code 2018, as
35 amended by 2018 Iowa Acts, House File 2456, section 14, is

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1 amended to read as follows:

2 a. For the fiscal year beginning July 1, 2017, and each
3 subsequent fiscal year, the county budgeted amount determined
4 for each county shall be the amount necessary to meet the
5 county's financial obligations for the payment of services
6 provided under the regional service system management plan
7 approved pursuant to section 331.393, not to exceed an amount
8 equal to the product of the regional per capita expenditure
9 target amount multiplied by the county's population, and, for
10 fiscal years beginning on or after July 1, 2021, reduced by
11 the amount of the county's cash flow reduction amount for the
12 fiscal year calculated under subsection 4, if applicable.

13 b. If a county officially joins a different region, the
14 county's budgeted amount shall be the amount necessary to meet
15 the county's financial obligations for payment of services
16 provided under the new region's regional service system
17 management plan approved pursuant to section 331.393, not to
18 exceed an amount equal to the product of the new region's
19 regional per capita expenditure target amount multiplied by
20 the county's population, and, for fiscal years beginning on
21 or after July 1, 2021, reduced by the amount of the county's
22 cash flow reduction amount for the fiscal year calculated under
23 subsection 4, if applicable.

24 Sec. 6. 2017 Iowa Acts, chapter 170, section 13, is amended
25 to read as follows:

26 SEC. 13.TRANSFER FROM CASH RESERVE FUND. Notwithstanding
27 section 8.56, subsection 3 and subsection 4, paragraph "a" and
28 section 8.57, subsection 1, paragraph "a", there is transferred
29 from the cash reserve fund created in section 8.56 to the
30 general fund of the state for the fiscal year beginning July 1,
31 2016, and ending June 30, 2017, the following amount:

32 \$131,100,000

33 Sec. 7. 2018 Iowa Acts, House File 2441, section 17,
34 subsection 1, is amended by striking the subsection.

35 Sec. 8. 2018 Iowa Acts, Senate File 2117, section 11,

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1 subsection 1, is amended to read as follows:

2 1. There is appropriated from the Iowa economic emergency
3 fund created in section 8.55 to the general fund of the state
4 for the fiscal year beginning July 1, ~~2017~~ 2016, and ending
5 June 30, ~~2018~~ 2017, the following amount:

6 \$ 13,000,000

7 Sec. 9. 2018 Iowa Acts, Senate File 2117, section 12, is
8 amended to read as follows:

9 SEC. 12.RETROACTIVE APPLICABILITY. The following
10 provision or provisions of this division of this Act apply
11 retroactively to ~~September 28, 2017~~ June 30, 2017:

12 The section of this division of this Act appropriating

13 moneys from the Iowa economic emergency fund to the general
 14 fund in lieu of a prior standing appropriation.

15 Sec. 10.RETROACTIVE APPLICABILITY. The following applies
 16 retroactively to May 12, 2017:

17 The section of this division of this Act amending 2017 Iowa
 18 Acts, chapter 170, section 13.

19 Sec. 11.RETROACTIVE APPLICABILITY. The following applies
 20 retroactively to the effective date of section 256.9A, as
 21 enacted by 2018 Iowa Acts, House File 2441, section 1:

22 The section of this division of this Act amending 2018 Iowa
 23 Acts, House File 2441, section 17, subsection 1.

24 Sec. 12.EFFECTIVE DATE. This division of this Act, being
 25 deemed of immediate importance, takes effect upon enactment.

26 DIVISION III
 27 CORRECTIVE PROVISIONS

28 Sec. 13. Section 9A.102, subsection 1, Code 2017, as amended
 29 by 2018 Iowa Acts, Senate File 385, section 2, is amended to
 30 read as follows:

31 1. “*Agency contract*” means an agreement in which a student
 32 athlete authorizes a person to negotiate or solicit on behalf
 33 of the athlete a professional sports services contract or an
 34 endorsement contract.

35 Sec. 14. Section 68B.2C, as enacted by 2018 Iowa Acts,

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1 Senate File 2323, section 7, is amended to read as follows:
 2 **68B.2C Prohibited outside employment and activities — agents**
 3 **of foreign principals.**

4 Officials and state employees shall not engage in any
 5 outside employment or activity that requires the person to
 6 register under the federal Foreign Agents Registration Act of
 7 1938, as amended, 22 U.S.C. §611 et seq., ~~as amended~~.

8 Sec. 15. Section 84A.4, subsection 4, paragraph f, Code
 9 2018, if enacted by 2018 Iowa Acts, Senate File 2353, section
 10 6, is amended to read as follows:

11 *f. Proven and promising practices.* The local workforce
 12 development board shall lead efforts in the local workforce
 13 development area to ~~do all of the following~~:

14 ~~(1) Identify~~ identify and promote proven and promising
 15 strategies and initiatives for meeting the needs of employers,
 16 workers, and jobseekers, including individuals with a barrier
 17 to employment, in the local workforce development system,
 18 including providing physical and programmatic accessibility,
 19 in accordance with 29 U.S.C. §3248, if applicable, applicable
 20 provisions of chapter 216, and applicable provisions of the
 21 Americans with Disabilities Act of 1990, codified at 42 U.S.C.
 22 §12101 et seq., to the one-stop delivery system.

23 Sec. 16. Section 123.92, subsection 3, paragraph a, Code
 24 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
 25 47, is amended to read as follows:

26 *a.* Notwithstanding section 123.49, subsection 1, any

27 person who is injured in person or property or means of
 28 support by an intoxicated person who is under legal age or
 29 resulting from the intoxication of a person who is under
 30 legal age, has a right of action for all damages actually
 31 sustained, severally or jointly, against a person who is
 32 not a licensee or permittee and who dispensed or gave any
 33 alcoholic beverage to the intoxicated underage person when the
 34 nonlicensee or nonpermittee who dispensed or gave the alcoholic
 35 beverage to the underage person knew or should have known the

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1 underage person was intoxicated, or who dispensed or gave any
 2 alcoholic beverage to the underage person to a point where the
 3 nonlicensee or nonpermittee knew or should have known that the
 4 underage person would become intoxicated.
 5 Sec. 17. Section 135.16A, subsection 1, paragraph a, as
 6 enacted by 2018 Iowa Acts, House File 2408, section 1, is
 7 amended to read as follows:
 8 a. "*Conventional eggs*" means eggs ~~others~~ other than
 9 specialty eggs.
 10 Sec. 18. Section 147C.1, subsection 7, paragraph e,
 11 subparagraph (2), subparagraph division (h), as enacted by 2018
 12 Iowa Acts, House File 2425, section 1, is amended to read as
 13 follows:
 14 (h) Disclosure of investigative records compiled for law
 15 enforcement purposes ~~of any of the following~~.
 16 Sec. 19. Section 148H.1, subsection 4, as enacted by 2018
 17 Iowa Acts, Senate File 2228, section 5, is amended to read as
 18 follows:
 19 4. "*Genetic counseling intern*" means a student enrolled in
 20 a genetic counseling program accredited by the accreditation
 21 council for genetic counseling or its equivalent or successor
 22 organization, or the American board of medical genetics and
 23 genomics or its equivalent or successor organization.
 24 Sec. 20. Section 256.7, subsection 21, paragraph b,
 25 subparagraph (2), subparagraph division (d), as enacted by 2018
 26 Iowa Acts, House File 2235, section 1, is amended to read as
 27 follows:
 28 (d) That the assessment be peer-reviewed by an independent,
 29 third-party evaluator to determine that the assessment is
 30 aligned with the Iowa core academic standards, provides
 31 a measurement of student growth and student proficiency,
 32 and meets the summative assessment requirements of the
 33 federal Every Student Succeeds Act, Pub. L. No. 114-95. The
 34 assessment developed by the Iowa testing ~~service~~ program
 35 within the university of Iowa college of education shall ~~make~~

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1 ~~any necessary adjustments as determined by the peer review~~
 2 be adjusted as necessary to meet the requirements of this

3 subparagraph (2) as determined by the peer review.

4 Sec. 21. Section 256.42, subsection 5, Code 2018, as amended
5 by 2018 Iowa Acts, Senate File 2131, section 1, is amended to
6 read as follows:

7 5. Under the initiative, a student must be enrolled in
8 a participating school district or accredited nonpublic
9 school or be receiving private instruction under chapter 299A
10 as described in subsection 1. For a student enrolled in a
11 participating school district or accredited nonpublic school,
12 the school district or school is responsible for recording
13 grades received for initiative coursework in a student's
14 permanent record, awarding high school credit for initiative
15 coursework, and issuing a high school diploma ~~diplomas~~ diploma to a
16 student enrolled in the district or school who participates and
17 completes coursework under the initiative. Each participating
18 school shall identify a site coordinator to serve as a student
19 advocate and as a liaison between the initiative staff and
20 teachers and the school district or accredited nonpublic
21 school. The individual providing instruction to a student
22 under chapter 299A as described in subsection 1 shall receive
23 the student's score for completed initiative coursework.

24 Sec. 22. Section 261.131, subsection 1, paragraph d, Code
25 2018, as enacted by 2018 Iowa Acts, House File 2458, section
26 12, is amended to read as follows:

27 *d. "Eligible program"* means a program of study or an
28 academic major jointly approved by the commission and the
29 department of workforce development, in consultation with an
30 eligible institution, that leads to a credential aligned with a
31 high-demand job designated by the workforce development board
32 or a community college pursuant to section 84A.1B, subsection
33 13A. If the board or a community college removes a high-demand
34 job from a list created under section 84A.1B, subsection 13A,
35 an eligible student who received a scholarship for a program

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1 based on that high-demand job shall continue to receive the
2 scholarship until achieving a postsecondary credential, up to
3 an associate degree, as long as the student continues to meet
4 all other eligibility requirements.

5 Sec. 23. Section 280.13C, subsection 4, paragraph a, Code
6 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
7 is amended to read as follows:

8 *a.* The department of public health, Iowa high school
9 athletic association, and the Iowa girls high school athletic
10 union shall work together to distribute the guidelines of the
11 centers for disease control and prevention ~~guidelines of the~~
12 United States department of health and human services and other
13 pertinent information to inform and educate coaches, students,
14 and the parents and guardians of students of the risks, signs,
15 symptoms, and behaviors consistent with a concussion or brain
16 injury, including the danger of continuing to participate in

17 extracurricular interscholastic activities after suffering a
 18 concussion or brain injury and their responsibility to report
 19 such signs, symptoms, and behaviors if they occur.
 20 Sec. 24. Section 280.13C, subsection 8, paragraph a, Code
 21 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
 22 is amended to read as follows:
 23 a. A school district or accredited nonpublic school that
 24 adopts and follows the protocol required by this section and
 25 provides an emergency medical care provider or a licensed
 26 health care provider at a contest that is a contact or limited
 27 contact activity as identified by the American academy of
 28 pediatrics shall not be liable for any claim for injuries or
 29 damages based upon the actions or inactions of the emergency
 30 medical care provider or the licensed health care provider
 31 present at the contest at the request of the school district
 32 or accredited nonpublic school so long as the emergency
 33 medical care provider or the licensed health care provider
 34 acts reasonably and in good faith and in the best interest of
 35 the student athlete and without undue influence of the school

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1 district or accredited nonpublic school or coaching staff
 2 employed by the school district or accredited nonpublic school.
 3 A school district or accredited nonpublic school shall not be
 4 liable for any claim for injuries or damages if an emergency
 5 medical care provider or a licensed health care provider who
 6 was scheduled in accordance with a prearranged agreement with
 7 the school district or accredited nonpublic school to be
 8 present and available at a contest is not able to be present
 9 and available due to documentable, unforeseen circumstances and
 10 the school district or accredited nonpublic school otherwise
 11 followed the protocol.
 12 Sec. 25. Section 298.3, subsection 1, paragraph j, Code
 13 2018, as amended by 2018 Iowa Acts, House File 2253, section 9,
 14 is amended to read as follows:
 15 j. The purchase of buildings or lease-purchase option
 16 agreements for school buildings. However, a contract
 17 for construction by a private party of property to be
 18 lease-purchased by a public school corporation is a contract
 19 for a public improvement as defined in section 26.2. If the
 20 estimated cost of the property to be lease-purchased that is
 21 renovated, repaired, or involves new construction ~~in excess~~
 22 ~~of exceeds~~ the competitive bid threshold in section 26.3, the
 23 board of directors shall comply with the competitive bidding
 24 requirements of section 26.3.
 25 Sec. 26. Section 321G.13, subsection 2, paragraph b,
 26 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
 27 Senate File 2231, section 1, is amended to read as follows:
 28 (2) A person may operate or ride ~~on~~ a snowmobile with a
 29 loaded pistol or revolver, whether concealed or not, if ~~a~~ the
 30 person is operating or riding the snowmobile on land that is

31 not owned, possessed, or rented by the person, and the person's
32 conduct is otherwise lawful.
33 Sec. 27. Section 321I.14, subsection 2, paragraph b,
34 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
35 Senate File 2231, section 3, is amended to read as follows:

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1 (2) A person may operate or ride ~~on all~~ an all-terrain
2 vehicle with a loaded pistol or revolver, whether concealed or
3 not, if a the person is operating or riding the all-terrain
4 vehicle on land that is not owned, possessed, or rented by the
5 person, and the person's conduct is otherwise lawful.

6 Sec. 28. Section 321I.14, subsection 6, as enacted by 2018
7 Iowa Acts, Senate File 2231, section 4, is amended to read as
8 follows:

9 6. As used in this section, "*rented by the person*" includes
10 a person who does not necessarily rent the land but who
11 principally provides labor for the production of crops located
12 on agricultural land or for the production of livestock
13 principally located on agricultural land. The person must
14 personally provide such labor on a regular, continuous, and
15 substantial basis.

16 Sec. 29. Section 364.4, subsection 4, paragraph i, Code
17 2018, as amended by 2018 Iowa Acts, House File 2253, section
18 11, is amended to read as follows:

19 i. A contract for construction by a private party of
20 property to be lease-purchased by a city is a contract for a
21 public improvement under section 26.2, subsection 3. If the
22 estimated cost of the property to be lease-purchased that is
23 renovated, repaired, or involves new construction exceeds the
24 competitive bid threshold set in section 26.3, the city shall
25 comply with the competitive bidding requirements of section
26 26.3.

27 Sec. 30. Section 633.42, subsection 1, Code 2018, as amended
28 by 2018 Iowa Acts, Senate File 2098, section 3, is amended to
29 read as follows:

30 1. At any time after the issuance of letters of appointment,
31 any interested person in the proceeding may file with the
32 clerk a written request for notice of the time and place of
33 all hearings in such proceeding for which notice is required
34 by law, by rule of court, or by an order in such proceeding.
35 The request for notice shall state the name of the requester,

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1 the name of the requester's attorney, if any, and the reason
2 the requester is an interested person in the proceeding. The
3 request for notice shall provide the requester's post office
4 address; and, if available, the requester's electronic mail
5 address and telephone number. The request for notice shall
6 also provide the requester's attorney's post office address,

7 electronic mail address, and telephone number. The clerk shall
 8 docket the request. Thereafter, unless otherwise ordered by
 9 the court, the fiduciary shall serve by ordinary or electronic
 10 mail a notice of each hearing upon such requester and the
 11 requester's attorney, if any.

12 Sec. 31. Section 633.418, Code 2018, as amended by 2018
 13 Iowa Acts, Senate File 2098, section 6, is amended to read as
 14 follows:

15 **633.418 Form and verification of claims — general**
 16 **requirements.**

17 No claim shall be allowed against an estate on application
 18 of the claimant unless it shall be in writing, filed with
 19 the clerk, stating the claimant's name; and address; and,
 20 if available, telephone number and electronic mail address,
 21 describing the nature and the amount thereof, if ascertainable,
 22 and accompanied by the affidavit of the claimant, or someone
 23 for the claimant, that the amount is justly due, or if not yet
 24 due, when it will or may become due, that no payments have been
 25 made thereon which are not credited, and that there are no
 26 offsets to the same, to the knowledge of the affiant, except as
 27 therein stated. If the claim is contingent, the nature of the
 28 contingency shall also be stated.

29 Sec. 32. Section 651.29, subsection 5, paragraphs b and c,
 30 as enacted by 2018 Iowa Acts, Senate File 2175, section 29, are
 31 amended to read as follows:

32 b. If none of the cotenants ~~has~~ have paid the entire price
 33 for the remaining interest in the heirs property, the court
 34 shall resolve the partition action under section 651.30 as if
 35 the interest of the cotenant that had requested partition by

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1 sale of the heirs property has not been purchased.
 2 c. If more than one cotenant ~~have~~ has paid the entire price
 3 for the remaining interest in the heirs property, the court
 4 shall reapportion the remaining interest among such cotenants
 5 based on each cotenant's original fractional ownership of the
 6 entire heirs property divided by the total original fractional
 7 ownership of all cotenants that paid the entire price for
 8 the remaining interest. The court shall promptly issue an
 9 order reallocating all cotenants' interests, disburse the
 10 amounts held by the court to the persons entitled to such
 11 disbursements, and promptly refund any excess payments held by
 12 the court to the appropriate persons.

13 Sec. 33. Section 655.6, subsection 1, as enacted by 2018
 14 Iowa Acts, House File 2232, section 5, is amended to read as
 15 follows:

16 1. The mortgagee established reasonable procedures to
 17 achieve compliance with its obligations under section 655.3.

18 Sec. 34. Section 716.11, subsection 1, paragraph b, as
 19 enacted by 2018 Iowa Acts, Senate File 2235, section 1, is
 20 amended to read as follows:

21 *b.* A gas, oil, petroleum, refined petroleum product,
 22 renewable fuel, or chemical critical generation, storage,
 23 transportation, or delivery system.
 24 Sec. 35. 2018 Iowa Acts, Senate File 2117, section 1,
 25 paragraphs p and s, are amended to read as follows:
 26 p. ~~Department of economic~~ Economic development authority
 27 \$ 157,960
 28 s. College student aid commission
 29 \$ 94,172
 30 Sec. 36. 2018 Iowa Acts, House File 2442, section 4, is
 31 amended to read as follows:
 32 SEC. 4.STATE MANDATE FUNDING SPECIFIED. In accordance
 33 with section 25B.2, subsection 3, the state cost of requiring
 34 compliance with any state mandate included in ~~this division~~
 35 ~~of~~ this Act shall be paid by a school district from state

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1 school foundation aid received by the school district under
 2 section 257.16. This specification of the payment of the state
 3 cost shall be deemed to meet all of the state funding-related
 4 requirements of section 25B.2, subsection 3, and no additional
 5 state funding shall be necessary for the full implementation of
 6 this Act by and enforcement of this Act against all affected
 7 school districts.
 8 Sec. 37.REPEAL. 2018 Iowa Acts, House File 2348, section
 9 9, is repealed.
 10 Sec. 38.REPEAL. 2018 Iowa Acts, House File 2457, sections
 11 115 and 116 are repealed.
 12 Sec. 39.EFFECTIVE DATE. The following, being deemed of
 13 immediate importance, takes effect upon enactment:
 14 The section of this division of this Act amending 2018 Iowa
 15 Acts, Senate File 2117, section 1, paragraphs “p” and “s”.
 16 Sec. 40.RETROACTIVE APPLICABILITY. The following applies
 17 retroactively to March 28, 2018:
 18 The section of this division of this Act amending 2018 Iowa
 19 Acts, Senate File 2117, section 1, paragraphs “p” and “s”.
 20 Sec. 41.APPLICABILITY. The following apply July 1, 2018,
 21 to probate filings made on or after that date:
 22 1. The section of this division of this Act amending section
 23 633.42.
 24 2. The section of this division of this Act amending section
 25 633.418.>
 26 2. By renumbering as necessary.

HALL of Woodbury

H-8482

1 Amend House File 2490 as follows:
 2 1. Page 13, after line 4 by inserting:
 3 <DIVISION ___

4 INDUSTRIAL HEMP

5 Sec. __. Section 124.401, subsection 5, Code 2018, is
 6 amended by adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. Notwithstanding this subsection
 8 or any other provision of this chapter to the contrary, a
 9 person may produce, possess, deliver, transport, process,
 10 and use industrial hemp in accordance with the provisions of
 11 chapter 188.

12 Sec. __. NEW SECTION. **188.1 Short title.**

13 This chapter shall be known and may be cited as the “*Iowa*
 14 *Industrial Hemp Act*”.

15 Sec. __. NEW SECTION. **188.2 Definitions.**

16 As used in this chapter, unless the context otherwise
 17 requires:

18 1. “*Association*” means the Iowa crop improvement association
 19 recognized pursuant to section 177.1.

20 2. “*Certified industrial hemp seed*” means industrial hemp
 21 seed that has been certified pursuant to section 188.18.

22 3. “*Council*” means the industrial hemp council established
 23 in section 188.11.

24 4. “*Department*” means the department of agriculture and land
 25 stewardship.

26 5. “*Industrial hemp*” means any part of the Cannabis
 27 sativa plant, whether growing or not, with a concentration of
 28 delta-9 tetrahydrocannabinol that does not exceed the maximum
 29 concentration for the plant as determined pursuant to section
 30 188.8.

31 6. “*Industrial hemp plant*” means all nonseed parts of
 32 industrial hemp, whether growing or not.

33 7.a. “*Industrial hemp product*” means any item manufactured
 34 from industrial hemp, including but not limited to cloth,
 35 cordage, fiber, food, fuel, paint, paper, particleboard,

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1 plastic, industrial hemp seed, seed meal, or seed oil.

2 b. “*Industrial hemp product*” does not include industrial
 3 hemp seed that is capable of germination.

4 8. “*Industrial hemp seed*” means seed produced by industrial
 5 hemp regardless of whether the seed is capable of germination.

6 9. “*Iowa state university*” means Iowa state university of
 7 science and technology.

8 10. “*Law enforcement agency*” means the department of public
 9 safety, an office of county sheriff, or a city’s police force.

10 11. “*Licensee*” means a person who obtains a license from
 11 the department under section 188.15 to participate in the
 12 industrial hemp commodity program established pursuant to
 13 section 188.13 or the industrial hemp production program
 14 established pursuant to section 188.14.

15 12. “*Production*” means any part of planting, cultivating,
 16 or harvesting industrial hemp.

17 13. “*Regents institution*” means the university of Iowa, Iowa

18 state university of science and technology, or the university
19 of northern Iowa governed by the state board of regents under
20 section 262.7.

21 14. “*Registrant*” means a regents institution that registers
22 with the department to administer the industrial hemp
23 production program established in section 188.14.

24 Sec. .**NEW SECTION. 188.3 Report.**

25 1. The department shall prepare and submit an annual report
26 to the governor and general assembly not later than January 10.
27 The report shall evaluate the success of the industrial hemp
28 commodity program established pursuant to section 188.13 and
29 the industrial hemp production program established pursuant
30 to section 188.14. The department, in cooperation with any
31 registrant, may establish performance benchmarks and make
32 recommendations for consideration by the general assembly in
33 order to meet the purposes of the programs in compliance with
34 the requirements of 7 U.S.C. §5940.

35 2.a. In preparing the report, the department may require

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1 that a select number of licensees complete and submit a brief
2 survey regarding the licensee’s business operations including
3 the production, handling, transportation, or processing of
4 industrial hemp.

5 b. A registrant shall assist the department in preparing
6 and compiling the results of the survey. Until a regents
7 institution is registered under section 188.14, Iowa state
8 university shall act in lieu of the registrant.

9 3. The report may include the compilation of data, but
10 shall not disclose any information that is confidential under
11 section 188.9, including the identity of a licensee or the
12 location of any facility used by the licensee in the production
13 of industrial hemp. This subsection shall not preclude the
14 disclosure of information to the extent that the licensee
15 voluntarily agrees in writing that such information is to be
16 considered a public record under section 188.9.

17 Sec. .**NEW SECTION. 188.4 Rules and forms.**

18 The department shall adopt all rules and prepare and publish
19 all forms required to administer this chapter and comply with
20 7 U.S.C. §5940. The department may require the mandatory use
21 of a form and refuse to accept a document that is not prepared
22 using a mandatory form.

23 Sec. .**NEW SECTION. 188.5 Compliance with federal law.**

24 1. The purpose of this chapter is to fully implement the
25 provisions of 7 U.S.C. §5940.

26 2. The programs established under this chapter and any
27 projects administered under those programs are for the
28 exclusive purpose of growing, cultivating, and marketing
29 industrial hemp in a manner that complies with the programs and
30 projects described in 7 U.S.C. §5940.

31 3.a. The department shall seek to obtain any necessary

32 approval by the drug enforcement administration of the United
 33 States department of justice in order to obtain industrial hemp
 34 seeds for certification pursuant to section 188.18 as part of
 35 the industrial hemp commodity program as provided in section

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1 188.13 or the industrial hemp production program as provided
 2 in section 188.14.

3 *b.* A registrant may seek to obtain any necessary approval
 4 by the drug enforcement administration of the United States
 5 department of justice in order to obtain industrial hemp seeds
 6 for certification pursuant to section 188.18 as part of the
 7 industrial hemp production program as provided in section
 8 188.14.

9 4. The department or a registrant may seek a waiver of a
 10 federal regulation promulgated by the United States department
 11 of agriculture or the drug enforcement administration of the
 12 United States department of justice if necessary to fully
 13 implement the provisions of this chapter.

14 Sec. NEW SECTION. **188.6 General prohibitions.**

15 1. A person shall not produce, handle, transport, market,
 16 or process industrial hemp in this state unless the industrial
 17 hemp has been produced pursuant to the industrial hemp
 18 commodity program established pursuant to section 188.13 or
 19 the industrial hemp production program established pursuant to
 20 section 188.14.

21 2. Nothing in this chapter prevents a person from producing,
 22 handling, transporting, marketing, or processing an industrial
 23 hemp product.

24 Sec. NEW SECTION. **188.7 Cannabidiol production**
 25 **prohibited — contingent repeal.**

26 1. Industrial hemp shall not be used to produce medical
 27 cannabidiol as defined in section 124E.2.

28 2. Nothing in this chapter shall be construed to authorize
 29 a person to recommend, possess, use, dispense, deliver,
 30 transport, or administer medical cannabidiol.

31 Sec. NEW SECTION. **188.8 Maximum concentration of**
 32 **tetrahydrocannabinol.**

33 1. A test of a Cannabis sativa plant under this chapter
 34 shall be conducted by the department or a qualified public or
 35 private laboratory approved by the department. The department

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1 shall establish protocols for sampling and testing Cannabis
 2 sativa plants produced pursuant to the provisions of this
 3 chapter, including for obtaining test samples for delivery to
 4 the laboratory, and the receipt of test results delivered to
 5 the department, a registrant, or a licensee. The concentration
 6 of delta-9 tetrahydrocannabinol present in a Cannabis sativa
 7 plant shall be measured on a dry weight basis in the same

8 manner as provided under 7 U.S.C. §5940 unless subsequent
9 controlling federal law provides otherwise.

10 2. The maximum concentration of delta-9
11 tetrahydrocannabinol present in a Cannabis sativa plant in
12 order for the plant to qualify as industrial hemp shall be
13 established by the department. The department's established
14 maximum concentration shall be the same as the maximum
15 concentration allowed to be present to qualify as industrial
16 hemp under 7 U.S.C. §5940 or any subsequent controlling federal
17 law.

18 3. In testing Cannabis sativa plants which comprise a crop,
19 a composite test result that exceeds the maximum concentration
20 of delta-9 tetrahydrocannabinol as provided in subsections 1
21 and 2 is deemed conclusive that the crop exceeds the maximum
22 concentration for industrial hemp.

23 Sec. .NEW SECTION. 188.9 Confidential information —
24 exceptions.

25 1.a. All of the following information is confidential:

26 (1) A completed license application, or information which
27 is part of such application, acquired by the department,
28 a registrant, or a law enforcement agency under section
29 188.15. For purposes of this subparagraph, a completed license
30 application does not include the results of a national criminal
31 history record check acquired by the department from the
32 department of public safety pursuant to section 188.15.

33 (2) A license issued by the department to the applicant
34 under section 188.15.

35 (3) Any information acquired by the department or a

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1 registrant from a licensee participating in or seeking to
2 participate in the industrial hemp commodity program under
3 section 188.13 or the industrial hemp production program under
4 section 188.14.

5 (4) A certification of industrial hemp seed issued by the
6 association to the department, a registrant, or a licensee
7 under section 188.18.

8 (5) A survey acquired by the department or by Iowa state
9 university from the department under section 188.3.

10 (6) Information relating to the inspection of a licensee
11 participating in the industrial hemp commodity program under
12 section 188.13 or the industrial hemp production program under
13 section 188.14.

14 (7) The results of any test sample of an industrial hemp
15 crop regardless of whether the test was conducted by the
16 department, a registrant, or a licensee participating in the
17 industrial hemp commodity program under section 188.13 or the
18 industrial hemp production program under section 188.14.

19 (8) Any other information that identifies the business
20 location, operations, management, practices, or finances of a
21 licensee participating in the industrial hemp commodity program

22 under section 188.13 or the industrial hemp production program
23 under section 188.14.

24 *b.* The confidential information may be in a printed or
25 electronic format as part of a document, other tangible medium,
26 or accessible by a computer or similar device.

27 2. The confidential information described in subsection
28 1 is not a public record and is not otherwise subject to
29 disclosure under chapter 22. Such information that is
30 subsequently disclosed to a person under this chapter retains
31 its confidentiality in the manner provided in this section.

32 3. The department shall establish requirements and
33 procedures for the disclosure of confidential information
34 described in subsection 1, including to any of the following:

35 *a.* To a person authorized to receive the confidential

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1 information under this chapter.

2 *b.* A federal agency or another state's agency as part of
3 the process to evaluate the approval or renewal of a license
4 under section 188.15 or the licensee's participation in the
5 industrial hemp commodity program under section 188.13 or the
6 industrial hemp production program under section 188.14.

7 *c.* A law enforcement agency or a federal agency which
8 requests the confidential information in order to respond
9 to an emergency situation, a criminal complaint, or an
10 ongoing criminal investigation, subject to any applicable
11 confidentiality requirements for public records under section
12 22.7.

13 *d.* The department in conducting a disciplinary action
14 against a licensee under section 188.26.

15 *e.* A party in any judicial or administrative proceeding
16 involving discovery, so long as the disclosure is made upon
17 subpoena, or other means of legal compulsion for release.

18 *f.* Any person making a request to the custodian of the
19 confidential information in the same manner as provided in
20 section 22.2 to the extent that the licensee voluntarily agrees
21 in writing that such information is to be considered a public
22 record subject to chapter 22.

23 Sec. ~~___~~.NEW SECTION. 188.10 Liability.

24 The department or a registrant is not liable for the actions
25 of a licensee regardless of the department's or registrant's
26 legal relationship with the licensee, including but not limited
27 to any relationship as an agent, principal, fiduciary, or party
28 to a contract.

29 Sec. ~~___~~.NEW SECTION. 188.11 Industrial hemp council —
30 establishment, membership, procedures.

31 1. An industrial hemp council is established under the
32 purview of the department.

33 2.*a.* The council shall consist of the following voting
34 members:

35 (1) An individual who has experience in the regulation

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1 of industrial hemp production, appointed by the secretary of
2 agriculture.

3 (2) An individual who is a member of an agricultural
4 cooperative association as defined in section 502.102,
5 appointed by the secretary of agriculture.

6 (3) Two employees of the department appointed by the
7 secretary of agriculture. The employees shall be knowledgeable
8 regarding the production of agricultural crops. One employee
9 may be the state entomologist. One employee may be an employee
10 knowledgeable about procedures and practices relating to the
11 import of agricultural seeds or inputs.

12 (4) One employee of the department of natural resources
13 appointed by the director of the department of natural
14 resources. The employee must be knowledgeable regarding
15 agricultural practices and environmental regulations.

16 (5) One employee of the department of public safety
17 appointed by the director of the department. The person must
18 be knowledgeable regarding federal and state drug enforcement
19 policies.

20 (6) One employee of a registrant appointed by the president
21 of the registrant's regents institution. The employee must
22 be knowledgeable regarding plant sciences. Until such a
23 registrant is appointed, one employee of Iowa state university
24 appointed by the president of the university shall serve as a
25 member. The employee must be knowledgeable regarding plant
26 sciences.

27 *b.* The council shall also include four members of the
28 general assembly appointed to serve in an ex officio, nonvoting
29 capacity. The legislative members shall be selected, one
30 member each, by the majority leader of the senate, the
31 minority leader of the senate, the speaker of the house of
32 representatives, and the minority leader of the house of
33 representatives.

34 3. A voting member who has not been appointed shall be
35 confirmed by the senate pursuant to section 2.32.

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1 4. A public member is eligible to receive compensation as
2 provided in section 7E.6 and shall be reimbursed for actual and
3 necessary expenses incurred in the discharge of the member's
4 duties. The moneys used to pay expenses and compensation
5 shall be paid from moneys in the industrial hemp commodity
6 fund established in section 188.23. A legislative member is
7 eligible to receive a per diem and expenses as provided in
8 section 2.10.

9 *5.a.* A public member shall serve a three-year staggered
10 term commencing and ending as provided in section 69.19. A
11 state employee member shall serve at the pleasure of the
12 appointing authority.

13 *b.* The voting members shall elect a chairperson and vice
 14 chairperson annually from the voting membership. A majority of
 15 the voting members constitutes a quorum. If the chairperson
 16 and vice chairperson are unable to preside over the council, a
 17 majority of the voting members present may elect a temporary
 18 chairperson.

19 6. A vacancy on the council shall be filled in the same
 20 manner as the original appointment. A member appointed to fill
 21 a vacancy created other than by expiration of a term shall be
 22 appointed for the remainder of the unexpired term.

23 7. The council shall be housed within the department and the
 24 department, in cooperation with Iowa state university, shall
 25 furnish the council with a meeting place and all articles,
 26 supplies, and services necessary to enable the council to
 27 perform its duties. Iowa state university or the office of
 28 attorney general may provide any technical or legal assistance
 29 requested by the council or department.

30 8. The appointments of the public members are subject to the
 31 requirements of sections 69.16, 69.16A, and 69.19. A public
 32 member is eligible for reappointment. The secretary may remove
 33 a public member if the removal is based on the public member's
 34 misfeasance, malfeasance, or willful neglect of duty or other
 35 just cause, after notice and hearing, unless the notice and

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1 hearing is expressly waived by the public member in writing.

2 Sec. NEW SECTION. **188.12 Industrial hemp council —**
 3 **powers and duties.**

4 1. The council shall advise the department and each
 5 registrant regarding all of the following:

6 *a.* All aspects relating to the administration of the
 7 industrial hemp commodity program established pursuant to
 8 section 188.13 and the industrial hemp production program
 9 established pursuant to section 188.14.

10 *b.* The establishment of fees assessed, imposed, and
 11 collected pursuant to sections 188.21 and 188.22.

12 *c.* The management of the industrial hemp commodity fund
 13 established in section 188.23.

14 2. The council shall advise the department regarding all of
 15 the following:

16 *a.* Disciplinary action taken against a licensee pursuant to
 17 section 188.26.

18 *b.* The establishment of a range of civil penalties to be
 19 imposed, assessed, and collected pursuant to section 188.27.

20 3. The council shall advise a registrant regarding the
 21 terms and conditions of contracts entered into with a selected
 22 licensee under section 188.17.

23 4. The council shall not control policy decisions or direct
 24 the administration or enforcement of this chapter.

25 Sec. NEW SECTION. **188.13 Industrial hemp commodity**
 26 **program — department and licensees.**

27 1. The department shall establish and administer an
28 industrial hemp commodity program. The purpose of the
29 program is to determine the economic feasibility of producing
30 industrial hemp as a profitable commodity in this state and of
31 the effective handling, transporting, marketing, and processing
32 of the commodity in this state.
33 2. A person must be licensed pursuant to section 188.15 to
34 participate in the program. Under the program, a licensee may
35 produce all of the following:

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1 a. Industrial hemp plants which shall to every extent
2 feasible be processed into industrial hemp products for
3 marketing in commercial channels.
4 b. Industrial hemp seeds which shall to every extent
5 feasible be processed into industrial hemp products or used to
6 produce a subsequent industrial hemp crop.
7 3. The department may establish standards for the labeling
8 or marketing of industrial hemp produced under this section.
9 The standards shall to every extent feasible be in accordance
10 with applicable standards in chapter 210.
11 4. A licensee must immediately report the loss of any
12 industrial hemp to the department.
13 5. A licensee shall retain industrial hemp or transfer
14 industrial hemp to another person only as authorized by the
15 department. The licensee may retain industrial hemp seeds
16 capable of germination only as authorized by the department.
17 The licensee shall only transfer industrial hemp seed that is
18 capable of germination to the department, a registrant, or
19 another licensee as approved by the department or any other
20 person authorized by law to receive the industrial hemp seed.
21 6. A licensee must regularly test the industrial hemp to
22 ensure that the industrial hemp does not exceed the maximum
23 concentration of delta-9 tetrahydrocannabinol as provided in
24 section 188.8.
25 7. The department shall conduct an inspection of the
26 licensee's facilities and business records as provided in
27 section 188.16.
28 **Sec. .NEW SECTION. 188.14 Industrial hemp production**
29 **program — registrants and licensees.**
30 1. A regents institution, or two or more regents
31 institutions acting jointly, may establish and administer
32 an industrial hemp production program. The purpose of the
33 program shall be to determine the feasibility of increasing
34 the production acreage and yield of industrial hemp as a
35 profitable crop and reducing the concentration of delta-9

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1 tetrahydrocannabinol in the industrial hemp.
2 2. In order to administer a program, the regents institution

3 or regents institutions acting jointly must register with
 4 the department according to requirements established by the
 5 department. The registration shall include a research plan
 6 that summarizes the quantifiable short-term and long-term goals
 7 of the research. A copy of the registration shall also be
 8 filed with the council, the governor, and the general assembly.

9 3. The department has all the same powers to regulate
 10 a licensee under this program as the department does in
 11 regulating a licensee under the industrial hemp commodity
 12 program pursuant to section 188.13. A licensee participating
 13 in this program shall comply with the same requirements as a
 14 licensee participating in the industrial hemp commodity program
 15 under section 188.13, unless the department provides otherwise.

16 4. Only a registrant, including a licensee acting under
 17 the supervision of the registrant, may participate in the
 18 program. Under the program, a registrant may produce any of
 19 the following:

20 a. Industrial hemp plants which may be processed into
 21 industrial hemp products.

22 b. Industrial hemp seeds which may be processed into
 23 industrial hemp products. A registrant may retain industrial
 24 hemp seeds capable of germination to produce the next crop of
 25 industrial hemp or transfer the seeds to another person for
 26 purposes of scientific research. The registrant shall retain
 27 or transfer the seeds after consulting with the department.

28 5. A registrant must regularly test the industrial hemp to
 29 ensure that the industrial hemp does not exceed the maximum
 30 concentration of delta-9 tetrahydrocannabinol as provided in
 31 section 188.8.

32 6. A registrant must immediately report the loss of any
 33 industrial hemp produced by the registrant to the department.

34 7. A registrant must maintain records regarding production
 35 and transfer of the industrial hemp by the registrant. The

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1 records shall to every extent practicable contain the same type
 2 of information contained in records maintained by licensees
 3 under section 188.13.

4 8. A registrant's inspection of a licensee's facilities
 5 may be conducted as provided in the industrial hemp production
 6 contract entered into by the registrant and licensee under
 7 section 188.17. The registrant may request that the department
 8 assign an official or that a law enforcement agency assign an
 9 officer to accompany the registrant during the inspection.

10 Sec. .NEW SECTION. **188.15 Industrial hemp commodity**
 11 **license — requirements.**

12 1. The department shall establish and administer a process
 13 to receive, evaluate, and approve applications for industrial
 14 hemp commodity licenses by persons seeking to participate in
 15 the industrial hemp commodity program under section 188.13 or
 16 the industrial hemp production program under section 188.14.

17 A license expires one year from the date of issuance. An
18 expired license may be renewed for three additional years. The
19 department may require that a licensee apply for an amended
20 or new license if information contained in the existing
21 application is no longer accurate or is incomplete.

22 2. An applicant shall not be issued a license unless the
23 applicant agrees to comply with all terms and conditions
24 relating to the department's regulation of the licensee.

25 3. The department shall disapprove the application of
26 a person for good cause, which shall include any of the
27 following:

28 a. The conviction of a felony within the prior ten years or
29 any drug offense within the same period, regardless of whether
30 the conviction is in this state or another state.

31 b. The revocation of a license under section 188.26, or
32 the revocation of a license, permit, registration, or other
33 authorization to produce industrial hemp in any other state.

34 4. The department shall not issue a license until the
35 applicant has furnished a surety bond to the department in

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1 an amount of not more than ten thousand dollars. The surety
2 bond shall insure payment of any amount that the licensee is
3 legally obligated to pay for any costs associated with the
4 confiscation and destruction of the licensee's industrial hemp
5 crop under section 188.25. The surety bond shall be maintained
6 at all times during the period of licensure. The department
7 shall be notified ten days prior to any reduction in the amount
8 of the surety bond made at the request of the applicant or
9 cancellation of the surety bond by the surety. The total and
10 aggregate liability of the surety shall be limited to the face
11 amount of the surety bond.

12 5. The department may do all of the following:

13 a. Limit the number of applications that it accepts or
14 limit the period or periods when applications will be received,
15 evaluated, or accepted each year.

16 b. Establish criteria required to participate in a program
17 which may be based on the qualifications or good character
18 of the applicant, the applicant's proposed investment in
19 industrial hemp production, the applicant's experience in
20 commercial crop production, and the type and size of the
21 applicant's existing agricultural operation. The department
22 may prepare and publish guidelines to assist persons in
23 determining eligibility requirements.

24 c. Require the issuance of different types of licenses or
25 require an applicant to obtain more than one license based
26 on criteria established by the department, including but not
27 limited to whether the proposed industrial hemp production is
28 to occur on noncontiguous parcels of land, whether industrial
29 hemp plants or industrial hemp seeds are proposed to be
30 produced, or whether the applicant is proposing to participate

- 31 in the industrial hemp commodity program under section 188.13
32 or the industrial hemp production program under section 188.14.
33 *d.* Require that all or some licenses expire on the same
34 date.
35 *e.* Provide a different application and requirements for

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- 1 the submission, evaluation, and approval or disapproval of an
2 application for a renewed license. However, the department
3 shall require a check of the applicant's national criminal
4 history record to be conducted under this section each time a
5 license is issued or renewed.
- 6 *6.* The department shall prepare and publish license
7 application forms. A completed application form submitted to
8 the department shall contain all of the following:
- 9 *a.* The applicant's full name and residence address.
10 *b.* A legal description, global positioning system location,
11 and map of the site where the applicant proposes to produce the
12 industrial hemp.
13 *c.* Information required by the department to conduct a check
14 of the applicant's criminal history record. The department
15 shall require an applicant to submit pictures, fingerprints,
16 and descriptions of physical characteristics on forms required
17 by the department of public safety. The department of
18 agriculture and land stewardship shall submit the applicant's
19 fingerprints and other necessary information to the department
20 of public safety, division of criminal investigation, for the
21 purpose of conducting a national criminal history record check
22 through the federal bureau of investigation. The department
23 of public safety shall notify the department of agriculture
24 and land stewardship of the results of the national criminal
25 history record check. The results shall be considered a
26 confidential record under chapter 22 and shall not be released
27 without the consent of the department of public safety. The
28 department of agriculture and land stewardship shall reimburse
29 the department of public safety for costs associated with
30 conducting the national criminal history record check.
31 *d.* Any other information required by the department in order
32 to administer this chapter.
- 33 *7.* The department of agriculture and land stewardship shall
34 deliver a copy of an approved application for a license to
35 the department of public safety and the office of the county

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- 1 sheriff in the county where the industrial hemp is approved
2 to be produced by the licensee in order to participate in the
3 industrial hemp commodity program under section 188.13 or the
4 industrial hemp production program under section 188.14.
5 *8.* A license shall be suspended or revoked as provided in
6 section 188.26.

7 Sec. .**NEW SECTION. 188.16 Licensees — inspections by**
8 **department and law enforcement agencies.**

9 1. The department may conduct an official inspection of
10 a licensee's facilities where industrial hemp is produced,
11 stored, handled, transported, marketed, or processed. The
12 department shall conduct an official inspection during regular
13 business hours. As part of an official inspection, the
14 department shall collect a sample of the crop for testing under
15 section 188.8 at least once and within thirty days prior to
16 harvest. The department may order or request that a licensee
17 independently collect and test one or more samples of the crop
18 during the growing period and notify the department of the
19 results.

20 2. A licensee shall immediately notify the department of
21 the results of any test that exceeds the maximum concentration
22 of delta-9 tetrahydrocannabinol as provided in section 188.8,
23 regardless of whether the department ordered, requested, or
24 knew of the test.

25 3. The department may request that a law enforcement
26 agency assign an officer to accompany the department during an
27 official inspection of the facilities of a licensee.

28 4. As part of its official inspection, the department
29 may examine the licensee's business records. However, a law
30 enforcement officer shall not accompany the department during
31 the examination.

32 Sec. .**NEW SECTION. 188.17 Industrial hemp production**
33 **contract — requirements.**

34 A registrant may enter into an industrial hemp production
35 contract with a licensee to produce industrial hemp under the

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1 supervision of the registrant. The registrant shall supervise
2 the production of the industrial hemp in cooperation with the
3 department. The contract shall provide for the regulation of
4 the licensee and the industrial hemp produced by the licensee
5 in the same manner as provided in section 188.13, unless
6 otherwise provided by the department in consultation with the
7 registrant.

8 Sec. .**NEW SECTION. 188.18 Industrial hemp seed capable**
9 **of germination — certification.**

10 1. The Iowa crop improvement association shall certify
11 industrial hemp seed capable of germination for use by a
12 licensee as part of the industrial hemp commodity program
13 under section 188.13 or a registrant as part of the industrial
14 hemp production program under section 188.14. The association
15 may provide different certification processes, including for
16 industrial hemp seed produced or obtained by a registrant or
17 obtained from a qualified and reputable industrial hemp seed
18 source and supplier.

19 2. The association's certification protocols may be based
20 on standards promulgated by independent organizations including

21 but not limited to the association of official seed certifying
 22 agencies and verifications offered by qualified and reliable
 23 persons in the business of providing such seed.

24 3. The Iowa crop improvement association shall notify the
 25 department and the registrant, as applicable, of the results of
 26 a request for the certification of industrial hemp seed.

27 4. A licensee may import industrial hemp seed for
 28 certification only if allowed by the department acting in
 29 consultation with the association. A registrant may import
 30 industrial seed for certification after consulting with the
 31 department and the association.

32 Sec. __.NEW SECTION. 188.19 Industrial hemp seed capable
 33 of germination — sale by the department.

34 1. The department shall offer certified industrial hemp
 35 seed for sale to licensees participating in the industrial hemp

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1 commodity program established pursuant to section 188.13. The
 2 department may offer certified industrial hemp seed for sale to
 3 a registrant participating in the industrial hemp production
 4 program established pursuant to section 188.14.

5 2. Moneys collected by the department from the sale of
 6 certified industrial hemp seed shall be deposited into the
 7 industrial hemp commodity fund established in section 188.23.

8 Sec. __.NEW SECTION. 188.20 Industrial hemp seed capable
 9 of germination — sale by a registrant.

10 1. A registrant may offer certified industrial hemp seed
 11 for sale to the department, or a licensee participating in the
 12 industrial hemp production program established pursuant to
 13 section 188.14.

14 2. All moneys received by a registrant under subsection 1
 15 shall be handled in the same manner as repayment receipts as
 16 defined in section 8.2, and shall be used by the registrant
 17 exclusively for the registrant's administration of the
 18 industrial hemp production program.

19 Sec. __.NEW SECTION. 188.21 Fees assessed by department.

20 1. The department shall assess and collect all of the
 21 following:

22 a. An application fee to be paid by a person seeking to
 23 obtain an industrial hemp commodity license as provided in
 24 section 188.15.

25 b. A license fee to be paid by a person being issued an
 26 industrial hemp commodity license as provided in section
 27 188.15.

28 c. An inspection fee to be paid by a licensee as part of
 29 an inspection of the facilities where the industrial hemp is
 30 produced as provided in section 188.16.

31 d. A laboratory fee to be paid by a licensee if the
 32 department takes samples of industrial hemp for testing by a
 33 laboratory as provided in section 188.8.

34 2. The fees described in subsection 1 are nonrefundable.

35 3. The total amount of fees collected pursuant to this

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1 section shall not exceed the department's estimate of the total
2 amount of revenues necessary to administer and enforce the
3 provisions of this chapter. Prior to the beginning of a fiscal
4 year, the department shall establish an estimated total amount
5 based on the expected costs to be incurred by the department
6 in administering and enforcing the provisions of this chapter
7 during the subsequent fiscal year.

8 4. The department may establish different rates for any
9 category of fees described in subsection 1 based on criteria
10 determined relevant by the department, which may include the
11 type of license issued and the number of acres set aside for
12 industrial hemp production by a licensee.

13 5. All fees collected by the department under this section
14 shall be deposited into the industrial hemp commodity fund
15 established pursuant to section 188.23.

16 Sec. __.NEW SECTION. 188.22 Fees assessed by registrants.

17 1. A registrant may assess and collect fees from licensees
18 participating in the registrant's industrial hemp production
19 program as provided in section 188.14. The total amount
20 of fees paid shall not exceed the expenses incurred by the
21 registrant in selecting licensees to participate in the
22 program, conducting inspections of facilities where the
23 industrial hemp is produced, and taking samples of industrial
24 hemp to be tested by a laboratory as provided in section 188.8.

25 2. All moneys received by a registrant under this section
26 shall be handled in the same manner as repayment receipts as
27 defined in section 8.2, and shall be used by the registrant
28 exclusively for the registrant's administration of the
29 industrial hemp production program.

30 Sec. __.NEW SECTION. 188.23 Industrial hemp commodity
31 fund — appropriation.

32 1. An industrial hemp commodity fund is established in
33 the state treasury under the management and control of the
34 department.

35 2. The fund shall include moneys collected by the department

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1 from the sale of certified seed under section 188.19, fees
2 collected under section 188.21, and moneys appropriated by the
3 general assembly for deposit in the fund. The fund may include
4 other moneys available to and obtained or accepted by the
5 department, including moneys from public or private sources.

6 3. Moneys in the fund are appropriated to the department
7 and shall be used exclusively to carry out the responsibilities
8 conferred upon the department under this chapter as determined
9 and directed by the department, and shall not require further
10 special authorization by the general assembly.

- 11 4.a. Notwithstanding section 12C.7, interest or earnings
 12 on moneys in the fund shall be credited to the fund.
- 13 b. Notwithstanding section 8.33, moneys credited to the fund
 14 that remain unexpended or unobligated at the end of a fiscal
 15 year shall not revert to any other fund.
- 16 Sec. .**NEW SECTION. 188.24 Cooperation with department**
 17 **of public safety.**
- 18 1. The department of agriculture and land stewardship and a
 19 registrant shall cooperate with the department of public safety
 20 in order to administer this chapter.
- 21 2. The department of public safety shall assist the
 22 department of agriculture and land stewardship in conducting
 23 national criminal history record checks of applicants applying
 24 for licenses under section 188.15.
- 25 3. The department of agriculture and land stewardship and
 26 a registrant shall upon request or as part of routine process
 27 provide the department of public safety with the following
 28 information regarding the industrial hemp commodity program
 29 under section 188.13 and the industrial hemp production program
 30 under section 188.14:
- 31 a. The status of the production and the results of any test
 32 of a crop produced by a licensee under this chapter.
- 33 b. The date and time of an inspection of a licensee's
 34 facilities or business records.
- 35 c. The confiscation and destruction of a crop under section

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- 1 188.25.
- 2 Sec. .**NEW SECTION. 188.25 Confiscation and destruction.**
- 3 1. A Cannabis sativa plant exceeding the maximum
 4 concentration of delta-9 tetrahydrocannabinol as provided in
 5 section 188.8 and that is produced under the industrial hemp
 6 commodity program established pursuant to section 188.13 shall
 7 be confiscated by the department.
- 8 2. A Cannabis sativa plant exceeding the maximum
 9 concentration of delta-9 tetrahydrocannabinol as provided in
 10 section 188.8 and that is produced under the industrial hemp
 11 production program established pursuant to section 188.14
 12 shall be confiscated by the registrant in cooperation with the
 13 department.
- 14 3. The department shall provide for the destruction,
 15 including any accompanying disposal, of a confiscated Cannabis
 16 sativa plant produced under the industrial hemp commodity
 17 program under section 188.13 or the industrial hemp production
 18 program under section 188.14. A registrant may provide for the
 19 destruction of a confiscated Cannabis sativa plant produced
 20 under the industrial hemp production program under section
 21 188.14 in cooperation with the department. The department
 22 or a registrant shall not confiscate or destroy a Cannabis
 23 sativa plant unless the results of an official test conducted
 24 by the department indicate that a sample exceeds the maximum

25 concentration of delta-9 tetrahydrocannabinol as provided in
26 section 188.8. The department, or a registrant acting in
27 cooperation with the department, may require that a confiscated
28 Cannabis sativa plant be kept on the premises where the plant
29 was confiscated, including where it is produced, handled,
30 transported, marketed, or processed, until arrangements are
31 made for the plant's removal and destruction. The destruction
32 may also occur on the premises where the plant was confiscated
33 if such premises may be reasonably used for that purpose
34 as determined by the department or by the registrant in
35 cooperation with the department. The destruction shall be

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1 accomplished in a manner that complies with requirements of the
2 department and shall be in accordance with applicable federal
3 law.

4 4. The department or registrant may request assistance from
5 a law enforcement agency necessary to carry out this section.
6 The department or registrant upon request shall deliver any
7 sample of the plant to the law enforcement agency.

8 Sec. __.NEW SECTION. 188.26 Disciplinary action.

9 1. The department may suspend or revoke the license obtained
10 under section 188.15 by a person who does any of the following:

11 a. Provides false or misleading information on an
12 application for an industrial hemp commodity license as
13 provided in section 188.15.

14 b. Provides false or misleading information to the
15 department as part of the industrial hemp commodity program
16 under section 188.13 or to a registrant or the department as
17 part of the industrial hemp production program under section
18 188.14.

19 c. Fails to comply with or violates any provision of this
20 chapter, including a rule adopted by the department under
21 section 188.4, a condition of an application for the issuance
22 of a license under section 188.15, or a condition of a contract
23 entered into with a registrant under section 188.17.

24 d. Fails to comply with an order issued by the department or
25 a registrant under this chapter.

26 2. The suspension or revocation of a license is in addition
27 to the confiscation and destruction of a Cannabis sativa plant
28 under section 188.25, a civil penalty under section 188.27, or
29 any other civil or criminal penalty that may be imposed on the
30 person under state or federal law.

31 Sec. __.NEW SECTION. 188.27 Civil penalties.

32 1. A person who violates a provision of this chapter is
33 subject to a civil penalty of not less than five hundred
34 dollars and not more than two thousand five hundred dollars.
35 The department may assess and collect the civil penalty. Each

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1 day that a continuing violation occurs shall be considered a
2 separate offense.

3 2. The department shall establish a schedule of civil
4 penalties for violations of this chapter.

5 3. A civil penalty shall not be assessed against a
6 licensee for a violation that results in the confiscation and
7 destruction of the licensee's crop under section 188.25, unless
8 the composite test result is greater than two percent delta-9
9 tetrahydrocannabinol as determined in section 188.8.

10 4. All civil penalties collected under this section shall be
11 deposited into the general fund of the state.

12 Sec. .**NEW SECTION. 188.28 Criminal penalties.**

13 A person who knowingly or intentionally produces the
14 Cannabis sativa plant and who is not the department, a
15 registrant, or a licensee participating in the industrial hemp
16 commodity program established pursuant to section 188.13 or
17 the industrial hemp production program established pursuant to
18 section 188.14 is subject to the provisions in chapters 124 and
19 453B.

20 Sec. .**NEW SECTION. 262.80 Industrial hemp production**
21 **program.**

22 The board of regents may consult with Iowa state university
23 of science and technology, the university of Iowa, and the
24 university of northern Iowa to provide for the participation
25 of those universities in administering an industrial hemp
26 production program in cooperation with the department of
27 agriculture and land stewardship as provided in chapter 188.>

28 2. Title page, by striking lines 1 through 3 and inserting
29 <An Act relating to agriculture, by providing for an
30 agricultural assets transfer tax credit program, providing for
31 programs relating to the production and marketing of industrial
32 hemp, providing penalties, and including effective date and
33 retroactive and other applicability provisions.>

34 3. By renumbering as necessary.

GASKILL of Wapello

H-8483

1 Amend House File 2501 as follows:

2 1. Page 29, by striking lines 22 through 35.

3 2. By renumbering as necessary.

BEST of Carroll

H-8484

1 Amend House File 2501 as follows:

2 1. Page 5, line 6, by striking <and>

3 2. Page 5, line 7, after <evaluation> by inserting <, and
 4 for loans or grants to providers offering medication-assisted
 5 treatment to cover the costs of care for Medicaid-eligible
 6 individuals awaiting prior authorization of services or
 7 coverage by a managed care organization.>

ISENHART of Dubuque

H-8485

1 Amend House File 2501 as follows:

2 1. Page 31, line 17, after <rates> by inserting <, including
 3 multiple provider payment rates,>
 4 2. Page 31, line 20, after <changes.> by inserting <The
 5 department shall consult with affected providers and shall
 6 analyze the potential impact of changes on provider operations,
 7 provider finances, patient care, and patient and family
 8 satisfaction. Pending completion and delivery of such report,
 9 the department shall not implement any multiple provider
 10 payment reductions or other payment reductions related to
 11 Medicare fee schedules or other reimbursement methodologies for
 12 specific services.>

13 3. Page 49, after line 18 by inserting:
 14 <Sec. _____. 2017 Iowa Acts, chapter 174, section 74, is
 15 amended to read as follows:

16 SEC. 74.EFFECTIVE UPON ENACTMENT. The following
 17 provisions of this division of this Act, being deemed of
 18 immediate importance, take effect upon enactment:

19 1. The provision relating to section 232.141 and directing
 20 the state court administrator and the division administrator of
 21 the department of human services division of child and family
 22 services to make the determination, by June 15, 2018, of the
 23 distribution of funds allocated for the payment of the expenses
 24 of court-ordered services provided to juveniles which are a
 25 charge upon the state.

26 2. The review by the department of human services of all
 27 current Medicaid fee schedules and the prohibition against the
 28 implementation of any multiple provider payment reductions or
 29 other payment reductions related to Medicare fee schedules
 30 or other reimbursement methodologies for specific services,
 31 pending the completion and delivery of the report regarding the
 32 review.

33 Sec. _____. 2017 Iowa Acts, chapter 174, is amended by adding
 34 the following new section:

35 NEW SECTION. 74A. RETROACTIVE APPLICABILITY.

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1 The following apply retroactively to January 1, 2018:
 2 The section of this division of this Act relating to the
 3 prohibition against the implementation of any multiple provider
 4 payment reductions or other payment reductions related to

5 Medicare fee schedules or other reimbursement methodologies for
6 specific services, pending the completion and delivery of the
7 report regarding the review of all Medicaid fee schedules.>

ISENHART of Dubuque

H-8486

1 Amend House File 2501 as follows:

2 1. Page 44, by striking lines 17 through 33 and inserting:

3 <Sec. ___. 2017 Iowa Acts, chapter 174, section 64, is

4 amended to read as follows:

5 SEC. 64.SEXUALLY VIOLENT PREDATORS.

6 1. There is appropriated from the general fund of the
7 state to the department of human services for the fiscal year
8 beginning July 1, 2018, and ending June 30, 2019, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purpose designated:

11 For costs associated with the commitment and treatment of
12 sexually violent predators in the unit located at the state
13 mental health institute at Cherokee, including costs of legal
14 services and other associated costs, including salaries,
15 support, maintenance, and miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17	\$	<u>4,732,373</u>	
18		<u>10,864,747</u>	
19	FTEs	<u>112.00</u>	
20			<u>132.00</u>

21 2. Unless specifically prohibited by law, if the amount
22 charged provides for recoupment of at least the entire amount
23 of direct and indirect costs, the department of human services
24 may contract with other states to provide care and treatment
25 of persons placed by the other states at the unit for sexually
26 violent predators at Cherokee. The moneys received under
27 such a contract shall be considered to be repayment receipts
28 and used for the purposes of the appropriation made in this
29 section.>

30 2. By striking page 79, line 7, through page 85, line 22,
31 and inserting:

32 <DIVISION __
33 SEXUAL OFFENSES AND SEX OFFENDERS

34 Sec. ___. Section 229A.2, subsection 4, Code 2018, is
35 amended to read as follows:

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1 4. "Discharge" means an unconditional discharge from the
2 sexually violent predator program. A person released from a
3 secure facility into a transitional release program or released
4 with or without supervision is not considered to be discharged.

5 Sec. ___. Section 229A.5B, subsection 1, unnumbered
6 paragraph 1, Code 2018, is amended to read as follows:

7 A person who is detained pursuant to section 229A.5 or is
8 subject to an order of civil commitment under this chapter
9 shall remain in custody unless released by court order or
10 discharged under section 229A.8 or 229A.10. A person who has
11 been placed in a transitional release program or who is under
12 release with ~~or without~~ supervision is considered to be in
13 custody. A person in custody under this chapter shall not do
14 any of the following:

15 Sec. ____ Section 229A.5C, subsection 4, Code 2018, is
16 amended to read as follows:

17 4. A person who committed a public offense while in a
18 transitional release program or on release with ~~or without~~
19 supervision may be returned to a secure facility operated by
20 the department of human services upon completion of any term
21 of confinement that resulted from the commission of the public
22 offense.

23 Sec. ____ Section 229A.6A, subsection 1, paragraph d, Code
24 2018, is amended to read as follows:

25 d. To a facility for placement or treatment in a
26 transitional release program or for release with ~~or without~~
27 supervision. A transport order is not required under this
28 paragraph.

29 Sec. ____ Section 229A.7, subsection 7, Code 2018, is
30 amended to read as follows:

31 7. The control, care, and treatment of a person determined
32 to be a sexually violent predator shall be provided at a
33 facility operated by the department of human services. At all
34 times prior to placement in a transitional release program
35 or release with ~~or without~~ supervision, persons committed

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1 for control, care, and treatment by the department of human
2 services pursuant to this chapter shall be kept in a secure
3 facility and those patients shall be segregated at all times
4 from any other patient under the supervision of the department
5 of human services. A person committed pursuant to this chapter
6 to the custody of the department of human services may be kept
7 in a facility or building separate from any other patient
8 under the supervision of the department of human services.
9 The department of human services may enter into a chapter
10 28E agreement with the department of corrections or other
11 appropriate agency in this state or another state for the
12 confinement of patients who have been determined to be sexually
13 violent predators. Patients who are in the custody of the
14 director of the department of corrections pursuant to a chapter
15 28E agreement and who have not been placed in a transitional
16 release program or released with ~~or without~~ supervision shall
17 be housed and managed separately from criminal offenders in
18 the custody of the director of the department of corrections,
19 and except for occasional instances of supervised incidental
20 contact, shall be segregated from those offenders.

21 Sec. ____ Section 229A.8B, subsection 3, Code 2018, is
22 amended to read as follows:

23 3. Upon the return of the committed person to a secure
24 facility, the director of human services or the director's
25 designee shall notify the court that issued the ex parte order
26 that the absconder has been returned to a secure facility, and
27 the court shall set a hearing ~~within five days~~ to determine if
28 a violation occurred. If a court order was not issued, the
29 director or the director's designee shall contact the nearest
30 district court with jurisdiction to set a hearing to determine
31 whether a violation of the rules or directives occurred. The
32 court shall schedule a hearing ~~within five days of after~~
33 receiving notice that the committed person has been returned
34 from the transitional release program to a secure facility.

35 Sec. ____ Section 229A.9A, Code 2018, is amended to read as

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1 follows:

2 **229A.9A Release with ~~or without~~ supervision.**

3 1. In any proceeding under section 229A.8, the court may
4 order the committed person released with ~~or without~~ supervision
5 if any of the following apply:

6 a. The attorney general stipulates to the release with ~~or~~
7 ~~without~~ supervision.

8 b. The court or jury has determined that the person should
9 be ~~discharged~~ released from the program a secure facility or
10 a transitional release program, but the court has determined
11 the person suffers from a mental abnormality and it is in the
12 best interest of the community to order release with ~~or without~~
13 supervision before the committed person is discharged.

14 2. If release with ~~or without~~ supervision is ordered, the
15 department of human services shall prepare within sixty days of
16 the order of the court a release plan addressing the person's
17 needs for counseling, medication, community support services,
18 residential services, vocational services, alcohol or other
19 drug abuse treatment, sex offender treatment, or any other
20 treatment or supervision necessary.

21 3. The court shall set a hearing on the release plan
22 prepared by the department of human services before the
23 committed person is released from a secure facility or a
24 transitional release program.

25 4. If the court orders release with supervision, the court
26 shall order supervision by an agency with jurisdiction that
27 is familiar with the placement of criminal offenders in the
28 community. The agency with jurisdiction shall be responsible
29 for initiating proceedings for violations of the release plan
30 as provided in section 229A.9B. ~~If the court orders release~~
31 ~~without supervision, the agency with jurisdiction shall also be~~
32 ~~responsible for initiating proceedings for any violations of~~
33 ~~the release plan as provided in section 229A.9B.~~

34 5. A committed person may not petition the court for release

35 with ~~or without~~ supervision.

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1 6. A committed person released with ~~or without~~ supervision
2 is not considered discharged from civil commitment under this
3 chapter.

4 7. After being released with ~~or without~~ supervision, the
5 person may petition the court for discharge as provided in
6 section 229A.8.

7 8. The court shall retain jurisdiction over the committed
8 person who has been released with ~~or without~~ supervision until
9 the person is discharged from the program. The department
10 of human services or a judicial district department of
11 correctional services shall not be held liable for any acts
12 committed by a committed person who has been ordered released
13 with ~~or without~~ supervision.

14 Sec. ____ Section 229A.9B, Code 2018, is amended to read as
15 follows:

16 **229A.9B Violations of release with ~~or without~~ supervision.**

17 1. If a committed person violates the release plan, the
18 agency with jurisdiction over the person may request the
19 ~~district~~ court to issue an emergency ex parte order directing
20 any law enforcement officer to take the person into custody
21 so that the person can be returned to a secure facility.
22 The request for an ex parte order may be made orally or by
23 telephone, but the original written request or a facsimile copy
24 of the request shall be filed with the clerk of court no later
25 than 4:30 p.m. on the next business day the office of the clerk
26 of court is open.

27 2. If a committed person has absconded in violation of the
28 conditions of the person's release plan, a presumption arises
29 that the person poses a risk to public safety. The department
30 of human services or contracting agency, in cooperation with
31 local law enforcement agencies, may make a public announcement
32 about the absconder. The public announcement may include a
33 description of the committed person, that the committed person
34 is on release with ~~or without~~ supervision from the sexually
35 violent predator program, and any other information pertinent

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1 to public safety.

2 3. Upon the return of the committed person to a secure
3 facility, the director of human services or the director's
4 designee shall notify the court that issued the ex parte
5 order that the committed person has been returned to a secure
6 facility, and the court shall set hearing ~~within five days~~ to
7 determine if a violation occurred. If a court order was not
8 issued, the director or the director's designee shall contact
9 the nearest district court with jurisdiction to set a hearing
10 to determine whether a violation of the conditions of the

11 release plan occurred. The court shall schedule a hearing
 12 ~~within five days of after~~ receiving notice that the committed
 13 person has been returned to a secure facility.

14 4. At the hearing, the burden shall be upon the attorney
 15 general to show by a preponderance of the evidence that a
 16 violation of the release plan occurred.

17 5. If the court determines a violation occurred, the court
 18 shall receive release recommendations from the department of
 19 human services and either order that the committed person be
 20 returned to release with ~~or without~~ supervision or placed
 21 in a transitional release program, or be confined in a
 22 secure facility. The court may impose further conditions
 23 upon the committed person if returned to release with ~~or~~
 24 ~~without~~ supervision or placed in the transitional release
 25 program. If the court determines no violation occurred, the
 26 committed person shall be returned to release with ~~or without~~
 27 supervision.

28 Sec. ____ Section 232.68, subsection 2, paragraph a,
 29 subparagraph (3), Code 2018, is amended to read as follows:

30 (3) The commission of a sexual offense with or to a child
 31 pursuant to chapter 709, section 726.2, or section 728.12,
 32 subsection 1, as a result of the acts or omissions of the
 33 person responsible for the care of the child or of a person who
 34 is fourteen years of age or older and resides in a home with
 35 the child. Notwithstanding section 702.5, the commission of

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1 a sexual offense under this subparagraph includes any sexual
 2 offense referred to in this subparagraph with or to a person
 3 under the age of eighteen years.

4 Sec. ____ Section 232.68, subsection 2, paragraph a,
 5 subparagraph (9), Code 2018, is amended to read as follows:

6 (9)(a) Knowingly A person who is responsible for the
 7 care of a child knowingly allowing a person another person
 8 custody ~~or of~~ control ~~of over~~, or unsupervised access to a
 9 child or minor child under the age of fourteen or a child with
 10 a physical or mental disability, after knowing the ~~person~~
 11 other person is required to register or is on the sex offender
 12 registry under chapter 692A ~~for a violation of section 726.6.~~

13 (b) This subparagraph does not apply in any of the following
 14 circumstances:

15 (i) A child living with a parent or guardian who is a sex
 16 offender required to register or on the sex offender registry
 17 under chapter 692A.

18 (ii) A child living with a parent or guardian who is married
 19 to and living with a sex offender required to register or on
 20 the sex offender registry under chapter 692A.

21 (iii) A child who is a sex offender required to register or
 22 on the sex offender registry under chapter 692A who is living
 23 with the child's parent, guardian, or foster parent and is also
 24 living with the child to whom access was allowed.

25 (c) For purposes of this subparagraph, “control over” means
 26 any of the following:

27 (i) A person who has accepted, undertaken, or assumed
 28 supervision of a child from the parent or guardian of the
 29 child.

30 (ii) A person who has undertaken or assumed temporary
 31 supervision of a child without explicit consent from the parent
 32 or guardian of the child.

33 Sec. ____ Section 901A.2, subsection 6, Code 2018, is
 34 amended to read as follows:

35 6. A person who has been placed in a transitional release

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1 program, released with ~~or without~~ supervision, or discharged
 2 pursuant to chapter 229A, and who is subsequently convicted of
 3 a sexually predatory offense or a sexually violent offense,
 4 shall be sentenced to life in prison on the same terms as
 5 a class “A” felon under section 902.1, notwithstanding any
 6 other provision of the Code to the contrary. The terms and
 7 conditions applicable to sentences for class “A” felons under
 8 chapters 901 through 909 shall apply to persons sentenced under
 9 this subsection. However, if the person commits a sexually
 10 violent offense which is a misdemeanor offense under chapter
 11 709, the person shall be sentenced to life in prison, with
 12 eligibility for parole as provided in chapter 906.>

13 3. By striking page 89, line 31, through page 90, line 15,
 14 and inserting:

15 <DIVISION ____
 16 GERIATRIC PATIENT HOUSING REVIEW

17 Sec. ____ GERIATRIC PATIENT HOUSING REVIEW.

18 1. During the 2018 legislative interim, the department on
 19 aging and the departments of human services, inspections and
 20 appeals, and corrections, cooperatively, shall review issues
 21 and develop policy recommendations relating to housing for
 22 geriatric persons, including geriatric individuals who are
 23 registered on the sex offender registry or who are sexually
 24 aggressive. The review shall address all aspects of the issue
 25 including the feasibility of utilizing facilities located
 26 at Mount Pleasant, Clarinda, or other vacant, state-owned
 27 facilities to care for such geriatric persons; related
 28 workforce recruitment and training; requirements that a
 29 facility must meet in order to receive Medicaid reimbursement;
 30 and any other information or issues deemed appropriate by the
 31 agencies.

32 2. The agencies shall submit a joint report with
 33 recommendations to the governor and general assembly by
 34 December 15, 2018.>

35 4. By renumbering as necessary.

H-8487

1 Amend House File 2501 as follows:

2 1. Page 94, after line 10 by inserting:

3 <Sec. ____ Section 124E.2, subsection 2, paragraph i, Code
4 2018, is amended to read as follows:

5 *i. Untreatable Chronic, severe, or untreatable pain.*

6 Sec. ____ Section 124E.2, subsection 2, Code 2018, is

7 amended by adding the following new paragraphs:

8 NEW PARAGRAPH. *j. Glaucoma.*

9 NEW PARAGRAPH. *k. Hepatitis C.*

10 NEW PARAGRAPH. *l. Ehlers-Danlos syndrome.*

11 NEW PARAGRAPH. *m. Post-traumatic stress disorder.*

12 NEW PARAGRAPH. *n. Tourette's syndrome.*

13 NEW PARAGRAPH. *o. Muscular dystrophy.*

14 NEW PARAGRAPH. *p. Huntington's disease.*

15 NEW PARAGRAPH. *q. Alzheimer's disease.*

16 NEW PARAGRAPH. *r. Complex regional pain syndrome, types I*

17 *and II.*

18 NEW PARAGRAPH. *s. Rheumatoid arthritis.*

19 NEW PARAGRAPH. *t. Polyarteritis nodosa.*

20 Sec. ____ Section 124E.2, subsection 6, Code 2018, is

21 amended to read as follows:

22 6. "*Medical cannabidiol*" means any pharmaceutical
23 grade cannabinoid found in the plant *Cannabis sativa* L. or
24 *Cannabis indica* or any other preparation thereof that ~~has~~
25 ~~a tetrahydrocannabinol level of no more than three percent~~
26 contains no more tetrahydrocannabinol than is medically
27 necessary for a ninety-day supply and that is delivered in a
28 form recommended by the medical cannabidiol board, ~~approved by~~
29 ~~the board of medicine~~, and adopted by the department pursuant
30 to rule.

31 Sec. ____ Section 124E.5, subsection 4, Code 2018, is

32 amended to read as follows:

33 4. Recommendations made by the medical cannabidiol board
34 pursuant to subsection 3, paragraphs "*b*" and "*e*", shall be made
35 to the ~~board of medicine~~ department for consideration, and if

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1 approved, shall be adopted by the ~~board of medicine~~ department
2 by rule.>

3 2. Page 95, after line 21 by inserting:

4 <Sec. ____ Section 124E.11, subsection 2, paragraph c, Code
5 2018, is amended to read as follows:

6 c. Establish the form and quantity of medical cannabidiol

7 allowed to be dispensed to a patient or primary caregiver

8 pursuant to this chapter as appropriate to serve the medical

9 needs of patients with debilitating medical conditions, subject

10 to recommendation by the medical cannabidiol board ~~and approval~~

11 by the board of medicine.>
12 3. By renumbering as necessary.

FORBES of Polk

H-8488

1 Amend House File 2501 as follows:

2 1. By striking page 94, line 11, through page 97, line 2,
3 and inserting:

4 <Sec. ____ Section 124.204, subsection 4, paragraphs m and
5 u, Code 2018, are amended by striking the paragraphs.

6 Sec. ____ Section 124.204, subsection 7, Code 2018, is
7 amended by striking the subsection.

8 Sec. ____ Section 124.206, subsection 7, Code 2018, is
9 amended to read as follows:

10 7. *Hallucinogenic substances.* Unless specifically excepted
11 or unless listed in another schedule, any material, compound,
12 mixture, or preparation which contains any quantity of the
13 following substances, or, for purposes of paragraphs "a" and
14 "b", which contains any of its salts, isomers, or salts of
15 isomers whenever the existence of such salts, isomers, or salts
16 of isomers is possible within the specific chemical designation
17 (for purposes of this paragraph only, the term "isomer"
18 includes the optical, positional, and geometric isomers):

19 a. Marijuana ~~when used for medicinal purposes pursuant to~~
20 ~~rules of the board.~~

21 b. Tetrahydrocannabinols, meaning tetrahydrocannabinols
22 naturally contained in a plant of the genus cannabis (cannabis
23 plant) as well as synthetic equivalents of the substances
24 contained in the cannabis plant, or in the resinous extractives
25 of such plant, and synthetic substances, derivatives, and their
26 isomers with similar chemical structure and pharmacological
27 activity to those substances contained in the plant, such as
28 the following:

29 (1) 1 cis or trans tetrahydrocannabinol, and their optical
30 isomers.

31 (2) 6 cis or trans tetrahydrocannabinol, and their optical
32 isomers.

33 (3) 3,4 cis or trans tetrahydrocannabinol, and their
34 optical isomers. (Since nomenclature of these substances
35 is not internationally standardized, compounds of these

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1 structures, regardless of numerical designation of atomic
2 positions covered.)

3 b. c. Nabilone [another name for nabilone: (+) -
4 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-
5 hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one].

6 Sec. ____ Section 124.401, subsection 5, Code 2018, is
7 amended by adding the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. A person may knowingly
 9 or intentionally recommend, possess, use, dispense,
 10 deliver, transport, or administer medical cannabis if the
 11 recommendation, possession, use, dispensing, delivery,
 12 transporting, or administering is in accordance with the
 13 provisions of chapter 124F. For purposes of this paragraph,
 14 "medical cannabis" means the same as defined in section 124F.2.
 15 Sec. NEW SECTION. **124F.1 Short title.**
 16 This chapter shall be known and may be cited as the
 17 "*Compassionate Use of Medical Cannabis Act*".
 18 Sec. NEW SECTION. **124F.2 Definitions.**
 19 As used in this chapter:
 20 1. "*Debilitating medical condition*" means any of the
 21 following:
 22 a. Cancer, if the underlying condition or treatment produces
 23 one or more of the following:
 24 (1) Intractable pain.
 25 (2) Nausea or severe vomiting.
 26 (3) Cachexia or severe wasting.
 27 b. Multiple sclerosis.
 28 c. Epilepsy or seizure disorders.
 29 d. AIDS or HIV as defined in section 141A.1.
 30 e. Glaucoma.
 31 f. Hepatitis C.
 32 g. Crohn's disease or ulcerative colitis.
 33 h. Amyotrophic lateral sclerosis.
 34 i. Ehlers-Danlos syndrome.
 35 j. Post-traumatic stress disorder.

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1 k. Tourette's syndrome.
 2 l. Any terminal illness, with a probable life expectancy of
 3 under one year, if the illness or its treatment produces one or
 4 more of the following:
 5 (1) Intractable pain.
 6 (2) Nausea or severe vomiting.
 7 (3) Cachexia or severe wasting.
 8 m. Intractable pain.
 9 n. Parkinson's disease.
 10 o. Muscular dystrophy.
 11 p. Huntington's disease.
 12 q. Alzheimer's disease.
 13 r. Complex regional pain syndrome, type I and II.
 14 s. Rheumatoid arthritis.
 15 t. Polyarteritis nodosa.
 16 u. Any other chronic or debilitating disease or medical
 17 condition or its medical treatment approved by the department
 18 pursuant to rule.
 19 2. "*Department*" means the department of public health.
 20 3. "*Disqualifying felony offense*" means a violation under
 21 federal or state law of a felony offense, which has as an

- 22 element the possession, use, or distribution of a controlled
23 substance, as defined in 21 U.S.C. §802(6).
- 24 4. “*Enclosed, locked facility*” means a closet, room,
25 greenhouse, or other enclosed area equipped with locks or
26 other security devices that permit access only by authorized
27 personnel.
- 28 5. “*Health care practitioner*” means an individual licensed
29 under chapter 148 to practice medicine and surgery or
30 osteopathic medicine and surgery or an individual licensed to
31 practice medicine in any other state who provides specialty
32 care for an Iowa resident for one or more of the debilitating
33 medical conditions provided in this chapter.
- 34 6. “*Intractable pain*” means a pain in which the cause of the
35 pain cannot be removed or otherwise treated with the consent

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- 1 of the patient and which, in the generally accepted course of
2 medical practice, no relief or cure of the cause of the pain
3 is possible, or none has been found after reasonable efforts.
4 Reasonable efforts for relieving or curing the cause of the
5 pain may be determined on the basis of but are not limited to
6 any of the following:
- 7 a. When treating a nonterminally ill patient for intractable
8 pain, evaluation by the attending physician and one or more
9 physicians specializing in pain medicine or the treatment of
10 the area, system, or organ of the body perceived as the source
11 of the pain.
- 12 b. When treating a terminally ill patient, evaluation by
13 the attending physician who does so in accordance with the
14 level of care, skill, and treatment that would be recognized
15 by a reasonably prudent physician under similar conditions and
16 circumstances.
- 17 7. “*Medical cannabis*” means any species of the genus
18 cannabis plant, or any mixture or preparation of them,
19 including whole plant extracts and resins.
- 20 8. “*Medical cannabis dispensary*” means an entity licensed
21 under section 124F.8 that acquires medical cannabis from a
22 medical cannabis manufacturer in this state for the purpose
23 of dispensing medical cannabis in this state pursuant to this
24 chapter.
- 25 9. “*Medical cannabis manufacturer*” means an entity licensed
26 under section 124F.6 to manufacture and to possess, cultivate,
27 transport, or supply medical cannabis pursuant to the
28 provisions of this chapter.
- 29 10. “*Primary caregiver*” means a person, at least eighteen
30 years of age, who has been designated by a patient’s health
31 care practitioner or a person having custody of a patient, as
32 a necessary caretaker taking responsibility for managing the
33 well-being of the patient with respect to the use of medical
34 cannabis pursuant to the provisions of this chapter.
- 35 11. “*Written certification*” means a document signed by a

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1 health care practitioner, with whom the patient has established
 2 a patient-provider relationship, which states that the patient
 3 has a debilitating medical condition and identifies that
 4 condition and provides any other relevant information.

5 Sec. __.NEW SECTION. 124F.3 Health care practitioner
 6 **certification — duties.**

7 1. Prior to a patient's submission of an application for a
 8 medical cannabis registration card pursuant to section 124F.4,
 9 a health care practitioner shall do all of the following:

10 a. Determine, in the health care practitioner's medical
 11 judgment, whether the patient whom the health care practitioner
 12 has examined and treated suffers from a debilitating medical
 13 condition that qualifies for the use of medical cannabis under
 14 this chapter, and if so determined, provide the patient with a
 15 written certification of that diagnosis.

16 b. Provide explanatory information as provided by the
 17 department to the patient about the therapeutic use of medical
 18 cannabis.

19 c. Determine, on an annual basis, if the patient continues
 20 to suffer from a debilitating medical condition and, if so,
 21 issue the patient a new certification of that diagnosis. This
 22 paragraph shall not apply if the patient is suffering from an
 23 incurable debilitating medical condition.

24 d. Otherwise comply with all requirements established by the
 25 department pursuant to rule.

26 2. A health care practitioner may provide, but has no duty
 27 to provide, a written certification pursuant to this section.

28 Sec. __.NEW SECTION. 124F.4 Medical cannabis registration
 29 **card.**

30 1. *Issuance to patient.* The department may approve the
 31 issuance of a medical cannabis registration card by the
 32 department of transportation to a patient who:

33 a. Is at least eighteen years of age.

34 b. Is a permanent resident of this state.

35 c. Submits a written certification to the department signed

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1 by the patient's health care practitioner that the patient is
 2 suffering from a debilitating medical condition.

3 d. Submits an application to the department, on a form
 4 created by the department, in consultation with the department
 5 of transportation, that contains all of the following:

6 (1) The patient's full name, Iowa residence address, date
 7 of birth, and telephone number.

8 (2) A copy of the patient's valid photograph
 9 identification.

10 (3) Full name, address, and telephone number of the
 11 patient's health care practitioner.

12 (4) Full name, residence address, date of birth, and

- 13 telephone number of each primary caregiver of the patient, if
14 any.
- 15 (5) Any other information required by rule.
- 16 e. Submits a medical cannabis registration card fee of one
17 hundred dollars to the department. If the patient attests to
18 receiving social security disability benefits, supplemental
19 security insurance payments, or being enrolled in the medical
20 assistance program, the fee shall be twenty-five dollars.
- 21 2. *Patient card contents.* A medical cannabis registration
22 card issued to a patient by the department of transportation
23 pursuant to subsection 1 shall contain, at a minimum, all of
24 the following:
- 25 a. The patient's full name, Iowa residence address, and date
26 of birth.
- 27 b. The patient's photograph.
- 28 c. The date of issuance and expiration of the registration
29 card.
- 30 d. Any other information required by rule.
- 31 3. *Issuance to primary caregiver.* For a patient in a
32 primary caregiver's care, the department may approve the
33 issuance of a medical cannabis registration card by the
34 department of transportation to the primary caregiver who:
- 35 a. Submits a written certification to the department signed

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- 1 by the patient's health care practitioner that the patient in
2 the primary caregiver's care is suffering from a debilitating
3 medical condition.
- 4 b. Submits an application to the department, on a form
5 created by the department, in consultation with the department
6 of transportation, that contains all of the following:
- 7 (1) The primary caregiver's full name, residence address,
8 date of birth, and telephone number.
- 9 (2) The patient's full name.
- 10 (3) A copy of the primary caregiver's valid photograph
11 identification.
- 12 (4) Full name, address, and telephone number of the
13 patient's health care practitioner.
- 14 (5) Any other information required by rule.
- 15 c. Submits a medical cannabis registration card fee of
16 twenty-five dollars to the department.
- 17 4. *Primary caregiver card contents.* A medical cannabis
18 registration card issued by the department of transportation to
19 a primary caregiver pursuant to subsection 3 shall contain, at
20 a minimum, all of the following:
- 21 a. The primary caregiver's full name, residence address, and
22 date of birth.
- 23 b. The primary caregiver's photograph.
- 24 c. The date of issuance and expiration of the registration
25 card.
- 26 d. The registration card number of each patient in the

27 primary caregiver's care. If the patient in the primary
 28 caregiver's care is under the age of eighteen, the full name of
 29 the patient's parent or legal guardian.
 30 *e.* Any other information required by rule.
 31 5. *Expiration date of card.* A medical cannabis registration
 32 card issued pursuant to this section shall expire one year
 33 after the date of issuance and may be renewed.
 34 6. *Card issuance — department of transportation.*
 35 *a.* The department may enter into a chapter 28E agreement

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1 with the department of transportation to facilitate the
 2 issuance of medical cannabis registration cards pursuant to
 3 subsections 1 and 3.
 4 *b.* The department of transportation may issue renewal
 5 medical cannabis registration cards through an online or
 6 in-person process.
 7 Sec. .NEW SECTION. **124F.5 Medical advisory board —**
 8 **duties.**
 9 1. No later than August 15, 2018, the director of public
 10 health shall establish a medical advisory board consisting of
 11 nine practitioners representing the fields of neurology, pain
 12 management, gastroenterology, oncology, psychiatry, pediatrics,
 13 infectious disease, family medicine, and pharmacy, and three
 14 patients or primary caregivers with valid medical cannabis
 15 registration cards. The practitioners shall be nationally
 16 board-certified in their area of specialty and knowledgeable
 17 about the use of medical cannabis.
 18 2. A quorum of the advisory board shall consist of seven
 19 members.
 20 3. The duties of the advisory board shall include but not be
 21 limited to the following:
 22 *a.* Reviewing and recommending to the department for
 23 approval additional chronic or debilitating diseases or
 24 medical conditions or their treatments as debilitating medical
 25 conditions that qualify for the use of medical cannabis under
 26 this chapter.
 27 *b.* Accepting and reviewing petitions to add chronic or
 28 debilitating diseases or medical conditions or their medical
 29 treatments to the list of debilitating medical conditions that
 30 qualify for the use of medical cannabis under this chapter.
 31 *c.* Working with the department regarding the requirements
 32 for the licensure of medical cannabis manufacturers and medical
 33 cannabis dispensaries, including licensure procedures.
 34 *d.* Advising the department regarding the location of
 35 medical cannabis dispensaries throughout the state, the form

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1 and quantity of allowable medical cannabis to be dispensed
 2 to a patient or primary caregiver, and the general oversight

3 of medical cannabis manufacturers and medical cannabis
4 dispensaries in this state.

5 *e.* Convening at least twice per year to conduct public
6 hearings and to review and recommend for approval petitions,
7 which shall be maintained as confidential personal health
8 information, to add chronic or debilitating diseases or
9 medical conditions or their medical treatments to the list of
10 debilitating medical conditions that qualify for the use of
11 medical cannabis under this chapter.

12 *f.* Recommending improvements relating to the effectiveness
13 of the provisions of this chapter.

14 *g.* In making recommendations pursuant to this section,
15 consideration of the economic and financial impacts on patients
16 and the medical cannabis industry, and making recommendations
17 that minimize the extent of such impacts to the greatest extent
18 practicable.

19 Sec. __.NEW SECTION. 124F.6 Medical cannabis manufacturer
20 licensure.

21 *1.a.* The department shall license up to four medical
22 cannabis manufacturers to manufacture medical cannabis within
23 this state consistent with the provisions of this chapter by
24 December 1, 2018. The department shall license new medical
25 cannabis manufacturers or relicense the existing medical
26 cannabis manufacturers by December 1 of each year.

27 *b.* Information submitted during the application process
28 shall be confidential until the medical cannabis manufacturer
29 is licensed by the department unless otherwise protected from
30 disclosure under state or federal law.

31 *2.* As a condition for licensure, a medical cannabis
32 manufacturer must agree to begin supplying medical cannabis to
33 medical cannabis dispensaries in this state by July 2, 2019.

34 *3.* The department shall consider the following factors in
35 determining whether to license a medical cannabis manufacturer:

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1 *a.* The technical expertise of the medical cannabis
2 manufacturer regarding medical cannabis.

3 *b.* The qualifications of the medical cannabis manufacturer's
4 ownership and management team.

5 *c.* The long-term financial stability of the medical cannabis
6 manufacturer.

7 *d.* The ability to provide appropriate security measures on
8 the premises of the medical cannabis manufacturer.

9 *e.* Whether the medical cannabis manufacturer has
10 demonstrated an ability to meet certain medical cannabis
11 production needs for medical use regarding the range of
12 recommended dosages for each debilitating medical condition,
13 the range of chemical compositions of any plant of the genus
14 cannabis that will likely be medically beneficial for each
15 of the debilitating medical conditions, and the form of the
16 medical cannabis in the manner determined by the department

17 pursuant to rule.

18 *f.* The medical cannabis manufacturer's projection of and
19 ongoing assessment of fees on patients with debilitating
20 medical conditions.

21 *g.* The medical cannabis manufacturer's experience in medical
22 cannabis production, plant extraction, and pharmaceutical
23 formulations.

24 4. The department shall require each medical cannabis
25 manufacturer to contract with a laboratory approved by the
26 department to test the medical cannabis produced by the
27 manufacturer. The department shall require that the laboratory
28 report testing results to the manufacturer in a manner
29 determined by the department pursuant to rule.

30 5. Each entity submitting an application for licensure
31 as a medical cannabis manufacturer shall pay a nonrefundable
32 application fee of fifteen thousand dollars to the department.

33 Sec. __.NEW SECTION. 124F.7 Medical cannabis
34 **manufacturers.**

35 1. A medical cannabis manufacturer shall contract with a

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1 laboratory approved by the department for purposes of testing
2 the medical cannabis manufactured by the medical cannabis
3 manufacturer as to content, contamination, and consistency.
4 The cost of all laboratory testing shall be paid by the medical
5 cannabis manufacturer.

6 2. The operating documents of a medical cannabis
7 manufacturer shall include all of the following:

8 *a.* Procedures for the oversight of the medical cannabis
9 manufacturer and procedures to ensure accurate recordkeeping.

10 *b.* Procedures for the implementation of appropriate security
11 measures to deter and prevent the theft of medical cannabis and
12 unauthorized entrance into areas containing medical cannabis.

13 3. A medical cannabis manufacturer shall implement security
14 requirements, including requirements for protection of each
15 location by a fully operational security alarm system, facility
16 access controls, perimeter intrusion detection systems, and a
17 personnel identification system.

18 4. A medical cannabis manufacturer shall not share
19 office space with, refer patients to, or have any financial
20 relationship with a health care practitioner.

21 5. A medical cannabis manufacturer shall not permit any
22 person to consume medical cannabis on the property of the
23 medical cannabis manufacturer.

24 6. A medical cannabis manufacturer is subject to reasonable
25 inspection by the department.

26 7. A medical cannabis manufacturer shall not employ a
27 person who is under eighteen years of age or who has been
28 convicted of a disqualifying felony offense. An employee
29 of a medical cannabis manufacturer shall be subject to a
30 background investigation conducted by the division of criminal

31 investigation of the department of public safety and a national
32 criminal history background check.
33 8. A medical cannabis manufacturer shall not operate in any
34 location, whether for manufacturing, cultivating, harvesting,
35 packaging, or processing, within one thousand feet of a public

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1 or private school existing before the date of the medical
2 cannabis manufacturer's licensure by the department.
3 9. A medical cannabis manufacturer shall comply with
4 reasonable restrictions set by the department relating to
5 signage, marketing, display, and advertising of medical
6 cannabis.
7 10.a. A medical cannabis manufacturer shall provide a
8 reliable and ongoing supply of medical cannabis to medical
9 cannabis dispensaries pursuant to this chapter.
10 b. All manufacturing, cultivating, harvesting, packaging,
11 and processing of medical cannabis shall take place in an
12 enclosed, locked facility at a physical address provided to the
13 department during the licensure process.
14 c. A medical cannabis manufacturer shall not manufacture
15 edible medical cannabis products utilizing food coloring.
16 d. A medical cannabis manufacturer shall manufacture a
17 reliable and ongoing supply of medical cannabis to treat every
18 debilitating medical condition listed in this chapter.
19 11. The department shall establish and collect an annual
20 fee from a medical cannabis manufacturer not to exceed the cost
21 of regulating and inspecting the manufacturer in the calendar
22 year.
23 **Sec. .NEW SECTION. 124F.8 Medical cannabis dispensary**
24 **licensure.**
25 1.a. The department shall license by April 2, 2019, twelve
26 medical cannabis dispensaries to dispense medical cannabis
27 within this state consistent with the provisions of this
28 chapter. The department shall license new medical cannabis
29 dispensaries or relicense the existing medical cannabis
30 dispensaries by December 1 of each year.
31 b. Information submitted during the application process
32 shall be confidential until the medical cannabis dispensary
33 is licensed by the department unless otherwise protected from
34 disclosure under state or federal law.
35 2. As a condition for licensure, a medical cannabis

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1 dispensary must agree to begin supplying medical cannabis to
2 patients by July 16, 2019.
3 3. The department shall consider the following factors in
4 determining whether to license a medical cannabis dispensary:
5 a. The technical expertise of the medical cannabis
6 dispensary regarding medical cannabis.

- 7 *b.* The qualifications of the medical cannabis dispensary's
8 owners and management team.
- 9 *c.* The long-term financial stability of the medical cannabis
10 dispensary.
- 11 *d.* The ability to provide appropriate security measures on
12 the premises of the medical cannabis dispensary.
- 13 *e.* The medical cannabis dispensary's projection and ongoing
14 assessment of fees for the purchase of medical cannabis on
15 patients with debilitating medical conditions.
- 16 4. Each entity submitting an application for licensure
17 as a medical cannabis dispensary shall pay a nonrefundable
18 application fee of fifteen thousand dollars to the department.
- 19 Sec. . **NEW SECTION. 124F.9 Medical cannabis**
20 **dispensaries.**
- 21 1.a. Medical cannabis dispensaries shall be located based
22 on geographical need throughout the state to improve patient
23 access.
- 24 *b.* A medical cannabis dispensary may dispense medical
25 cannabis pursuant to the provisions of this chapter but shall
26 not dispense any medical cannabis in a form or quantity other
27 than the form or quantity allowed by the department pursuant
28 to rule.
- 29 2. The operating documents of a medical cannabis dispensary
30 shall include all of the following:
- 31 *a.* Procedures for the oversight of the medical cannabis
32 dispensary and procedures to ensure accurate recordkeeping.
- 33 *b.* Procedures for the implementation of appropriate security
34 measures to deter and prevent the theft of medical cannabis and
35 unauthorized entrance into areas containing medical cannabis.

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- 1 3. A medical cannabis dispensary shall implement security
2 requirements, including requirements for protection by a fully
3 operational security alarm system, facility access controls,
4 perimeter intrusion detection systems, and a personnel
5 identification system.
- 6 4. A medical cannabis dispensary shall not share office
7 space with, refer patients to, or have any financial
8 relationship with a health care practitioner.
- 9 5. A medical cannabis dispensary shall not permit any person
10 to consume medical cannabis on the property of the medical
11 cannabis dispensary.
- 12 6. A medical cannabis dispensary is subject to reasonable
13 inspection by the department.
- 14 7. A medical cannabis dispensary shall not employ a
15 person who is under eighteen years of age or who has been
16 convicted of a disqualifying felony offense. An employee
17 of a medical cannabis dispensary shall be subject to a
18 background investigation conducted by the division of criminal
19 investigation of the department of public safety and a national
20 criminal history background check.

21 8. A medical cannabis dispensary shall not operate in any
22 location within one thousand feet of a public or private school
23 existing before the date of the medical cannabis dispensary's
24 licensure by the department.

25 9. A medical cannabis dispensary shall comply with
26 reasonable restrictions set by the department relating to
27 signage, marketing, display, and advertising of medical
28 cannabis.

29 10. Prior to dispensing of any medical cannabis, a medical
30 cannabis dispensary shall do all of the following:

31 a. Verify that the medical cannabis dispensary has received
32 a valid medical cannabis registration card from a patient or a
33 patient's primary caregiver, if applicable.

34 b. Assign a tracking number to any medical cannabis
dispensed from the medical cannabis dispensary.

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1 c.(1) Properly package medical cannabis in compliance with
2 federal law regarding child resistant packaging and exemptions
3 for packaging for elderly patients, and label medical cannabis
4 with a list of all active ingredients and individually
5 identifying information, including all of the following:

6 (a) The name and date of birth of the patient and the
7 patient's primary caregiver, if appropriate.

8 (b) The medical cannabis registration card numbers of the
9 patient and the patient's primary caregiver, if applicable.

10 (c) The chemical composition of the medical cannabis.

11 (2) Proper packaging of medical cannabis shall include but
12 not be limited to all of the following:

13 (a) Warning labels regarding the use of medical cannabis by
14 a woman during pregnancy and while breastfeeding.

15 (b) Clearly labeled packaging indicating that an edible
16 medical cannabis product contains medical cannabis and which
17 packaging shall not imitate candy products or in any way make
18 the product marketable to children.

19 **Sec. .NEW SECTION. 124F.10 Fees.**

20 Medical cannabis registration card fees and medical cannabis
21 manufacturer and medical cannabis dispensary application
22 and annual fees collected by the department pursuant to
23 this chapter shall be retained by the department, shall be
24 considered repayment receipts as defined in section 8.2, and
25 shall be used for the purpose of regulating medical cannabis
26 manufacturers and medical cannabis dispensaries and for other
27 expenses necessary for the administration of this chapter.

28 **Sec. .NEW SECTION. 124F.11 Department duties — rules.**

29 1.a. The department shall maintain a confidential file of
30 the names of each patient to or for whom the department issues
31 a medical cannabis registration card, the name of each primary
32 caregiver to whom the department issues a medical cannabis
33 registration card under section 124F.4, and the names of each
34 health care practitioner who provides a written certification

35 for medical cannabis pursuant to this chapter.

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- 1 *b.* Individual names contained in the file shall be
 2 confidential and shall not be subject to disclosure, except as
 3 provided in subparagraph (1).
 4 (1) Information in the confidential file maintained
 5 pursuant to paragraph “*a*” may be released on an individual basis
 6 to the following persons under the following circumstances:
 7 (a) To authorized employees or agents of the department and
 8 the department of transportation as necessary to perform the
 9 duties of the department and the department of transportation
 10 pursuant to this chapter.
 11 (b) To authorized employees of state or local law
 12 enforcement agencies, but only for the purpose of verifying
 13 that a person is lawfully in possession of a medical cannabis
 14 registration card issued pursuant to this chapter.
 15 (c) To authorized employees of a medical cannabis
 16 dispensary, but only for the purpose of verifying that a person
 17 is lawfully in possession of a medical cannabis registration
 18 card issued pursuant to this chapter.
 19 (d) To any other authorized persons recognized by the
 20 department by rule, but only for the purpose of verifying
 21 that a person is lawfully in possession of a medical cannabis
 22 registration card issued pursuant to this chapter.
 23 (2) Release of information pursuant to subparagraph
 24 (1) shall be consistent with the federal Health Insurance
 25 Portability and Accountability Act of 1996, Pub. L. No.
 26 104-191.
 27 2. The department shall adopt rules pursuant to chapter
 28 17A to administer this chapter which shall include but not be
 29 limited to rules to do all of the following:
 30 *a.* Govern the manner in which the department shall consider
 31 applications for new and renewal medical cannabis registration
 32 cards.
 33 *b.* Identify criteria and set forth procedures for
 34 including additional chronic or debilitating diseases or
 35 medical conditions or their medical treatments on the list of

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- 1 debilitating medical conditions that qualify for the use of
 2 medical cannabis. Procedures shall include a petition process
 3 and shall allow for public comment and public hearings before
 4 the medical advisory board.
 5 *c.* Set forth additional chronic or debilitating diseases
 6 or medical conditions or associated medical treatments for
 7 inclusion on the list of debilitating medical conditions that
 8 qualify for the use of medical cannabis as recommended by the
 9 medical advisory board.
 10 *d.* Establish, in consultation with medical cannabis

11 manufacturers and medical cannabis dispensaries, the form and
 12 quantity of medical cannabis allowed to be dispensed to a
 13 patient or primary caregiver pursuant to this chapter. The
 14 form and quantity of medical cannabis shall be appropriate to
 15 serve the medical needs of patients with debilitating medical
 16 conditions.

17 e. Establish, in conjunction with the medical advisory
 18 board, requirements for the licensure of medical cannabis
 19 manufacturers and medical cannabis dispensaries and set forth
 20 procedures for medical cannabis manufacturers and medical
 21 cannabis dispensaries to obtain licenses.

22 f. Develop a dispensing system for medical cannabis within
 23 this state that provides for all of the following:

24 (1) Medical cannabis dispensaries within this state housed
 25 on secured grounds and operated by licensed medical cannabis
 26 dispensaries.

27 (2) The dispensing of medical cannabis to patients and
 28 their primary caregivers to occur at locations designated by
 29 the department.

30 g. Establish and collect annual fees from medical cannabis
 31 manufacturers and medical cannabis dispensaries to cover
 32 the costs associated with regulating and inspecting medical
 33 cannabis manufacturers and medical cannabis dispensaries.

34 h. Specify and implement procedures that address public
 35 safety including security procedures and product quality

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1 including measures to ensure contaminant-free cultivation of
 2 medical cannabis, safety, and labeling.

3 i. Establish and implement a medical cannabis inventory
 4 and delivery tracking system to track medical cannabis
 5 from production by a medical cannabis manufacturer through
 6 dispensing at a medical cannabis dispensary.

7 Sec. .NEW SECTION. 124F.12 Reciprocity.

8 A valid medical cannabis registration card, or its
 9 equivalent, issued under the laws of another state that allows
 10 an out-of-state patient to possess or use medical cannabis in
 11 the jurisdiction of issuance shall have the same force and
 12 effect as a valid medical cannabis registration card issued
 13 pursuant to this chapter, except that an out-of-state patient
 14 in this state shall not obtain medical cannabis from a medical
 15 cannabis dispensary in this state and an out-of-state patient
 16 shall not smoke medical cannabis.

17 Sec. .NEW SECTION. 124F.13 Use of medical cannabis —
 18 **affirmative defenses.**

19 1. A health care practitioner, including any authorized
 20 agent or employee thereof, shall not be subject to
 21 prosecution for the unlawful certification, possession, or
 22 administration of marijuana under the laws of this state for
 23 activities arising directly out of or directly related to the
 24 certification or use of medical cannabis in the treatment of

25 a patient diagnosed with a debilitating medical condition as
26 authorized by this chapter.

27 2. A medical cannabis manufacturer, including any
28 authorized agent or employee thereof, shall not be subject
29 to prosecution for manufacturing, possessing, cultivating,
30 harvesting, packaging, processing, transporting, or supplying
31 medical cannabis pursuant to this chapter.

32 3. A medical cannabis dispensary, including any authorized
33 agent or employee thereof, shall not be subject to prosecution
34 for transporting, supplying, or dispensing medical cannabis
35 pursuant to this chapter.

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1 a. In a prosecution for the unlawful possession of marijuana
2 under the laws of this state, including but not limited to
3 chapters 124 and 453B, it is an affirmative and complete
4 defense to the prosecution that the patient has been diagnosed
5 with a debilitating medical condition, used or possessed
6 medical cannabis pursuant to a certification by a health care
7 practitioner as authorized under this chapter, and, for a
8 patient eighteen years of age or older, is in possession of a
9 valid medical cannabis registration card.

10 b. In a prosecution for the unlawful possession of marijuana
11 under the laws of this state, including but not limited to
12 chapters 124 and 453B, it is an affirmative and complete
13 defense to the prosecution that the person possessed medical
14 cannabis because the person is a primary caregiver of a patient
15 who has been diagnosed with a debilitating medical condition
16 and is in possession of a valid medical cannabis registration
17 card, and where the primary caregiver's possession of the
18 medical cannabis is on behalf of the patient and for the
19 patient's use only as authorized under this chapter.

20 c. If a patient or primary caregiver is charged with the
21 commission of a crime and is not in possession of the person's
22 medical cannabis registration card, any charge or charges filed
23 against the person shall be dismissed by the court if the
24 person produces to the court prior to or at the person's trial
25 a medical cannabis registration card issued to that person and
26 valid at the time the person was charged.

27 4. An agency of this state or a political subdivision
28 thereof, including any law enforcement agency, shall not remove
29 or initiate proceedings to remove a patient under the age
30 of eighteen from the home of a parent based solely upon the
31 parent's or patient's possession or use of medical cannabis as
32 authorized under this chapter.

33 Sec. __.NEW SECTION. 124F.14 Penalties.

34 1. A person who knowingly or intentionally possesses or
35 uses medical cannabis in violation of the requirements of this

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1 chapter is subject to the penalties provided under chapters 124
2 and 453B.

3 2. A medical cannabis manufacturer or a medical cannabis
4 dispensary shall be assessed a civil penalty of up to one
5 thousand dollars per violation for any violation of this
6 chapter in addition to any other applicable penalties.

7 Sec. NEW SECTION. 124F.15 Use of medical cannabis —
8 **smoking prohibited.**

9 A patient shall not consume medical cannabis possessed
10 or used as authorized under this chapter by smoking medical
11 cannabis.

12 Sec. NEW SECTION. 124F.16 Employment.

13 1. An employer in this state may retain, create, reinstate,
14 or enforce a written zero tolerance policy prohibiting the
15 possession or use of medical cannabis or any derivative
16 thereof including cannabidiol by an employee in the employer's
17 workplace, including but not limited to a policy prohibiting
18 an employee from having any detectable amount of medical
19 cannabis or any derivative thereof including cannabidiol in the
20 employee's body while at work.

21 2. An employer's prohibition of the possession or use
22 of medical cannabis or any derivative thereof including
23 cannabidiol under this section shall not be considered to be
24 an unfair or discriminatory employment practice under section
25 216.6.

26 Sec. Section 730.5, subsection 11, paragraph f, Code
27 2018, is amended to read as follows:

28 *f.* Testing or taking action against an individual with a
29 confirmed positive test result due to the individual's use of
30 medical ~~cannabidiol~~ cannabis as authorized under chapter ~~124E~~
31 124F.

32 Sec. REPEAL. Chapter 124E, Code 2018, is repealed.

33 Sec. EMERGENCY RULES. The department may adopt
34 emergency rules under section 17A.4, subsection 3, and section
35 17A.5, subsection 2, paragraph "b", to implement the provisions

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1 of this division of this Act and the rules shall be effective
2 immediately upon filing unless a later date is specified in the
3 rules. Any rules adopted in accordance with this section shall
4 also be published as a notice of intended action as provided
5 in section 17A.4.

6 Sec. TRANSITION PROVISIONS. A medical cannabidiol
7 registration card issued under chapter 124E prior to the
8 effective date of this division of this Act remains effective
9 and continues in effect as issued for the twelve-month period
10 following its issuance. This division of this Act does not
11 preclude a medical cannabidiol registration card holder from
12 seeking to renew the registration card prior to the expiration

- 13 of the twelve-month period.
 14 Sec. __.EFFECTIVE UPON ENACTMENT. This division of this
 15 Act, being deemed of immediate importance, takes effect upon
 16 enactment.>
 17 2. By renumbering as necessary.

FORBES of Polk

H-8489

- 1 Amend House File 2501 as follows:
 2 1. Page 111, after line 12 by inserting:
 3 <DIVISION __
 4 IOWA VETERANS HOME DENIAL OF ADMISSION — APPEAL PROCESS
 5 Sec. __.NEW SECTION. **35D.8 Denial of admission — appeal**
 6 **process.**
 7 1. If a veteran or surviving spouse of a veteran has been
 8 denied admission to the Iowa veterans home, the commandant or
 9 the commandant's designee shall notify the veteran or surviving
 10 spouse, in writing, of the decision, the particular basis for
 11 the decision, and the right of the veteran or surviving spouse
 12 to appeal the decision as provided in this section.
 13 2. The veteran or surviving spouse may file an appeal of
 14 the decision denying admission with the commission within five
 15 calendar days of receipt of the notice of the decision. The
 16 commission shall conduct a contested case proceeding pursuant
 17 to chapter 17A. The commission shall render a decision on the
 18 appeal and notify the commandant and the veteran or surviving
 19 spouse of the decision in writing.
 20 3. If the veteran or surviving spouse, or the commandant,
 21 is not satisfied with the decision of the commission, the
 22 veteran or surviving spouse, or the commandant, may appeal the
 23 commission's decision by filing an appeal with the department
 24 of inspections and appeals within five calendar days of
 25 being notified in writing of the commission's decision. The
 26 department of inspections and appeals shall render a decision
 27 on the appeal of the commission's decision and notify the
 28 commandant and the veteran or surviving spouse of the decision
 29 in writing.
 30 4. If the veteran or surviving spouse, or the commandant,
 31 is not satisfied with the decision of the department of
 32 inspections and appeals, the veteran or surviving spouse, or
 33 the commandant, may seek judicial review in accordance with
 34 chapter 17A.>

M. SMITH of Marshall

H-8490

- 1 Amend House File 2501 as follows:
 2 1. Page 86, line 4, after <135C> by inserting <or who is a
 3 patient receiving hospital care, including emergency care, in a

4 hospital licensed pursuant to chapter 135B>

HEDDENS of Story

H-8491

- 1 Amend House File 2501 as follows:
 2 1. Page 111, after line 12 by inserting:
 3 <DIVISION ___
 4 HEALTH DATA — COLLECTION AND USE
 5 Sec. ___. Section 135.166, subsection 2, Code 2018, is
 6 amended to read as follows:
 7 2. Unless otherwise authorized or required by state or
 8 federal law, data collected under this section shall not
 9 include the social security number or name of the individual
 10 subject of the data.>
 11 2. By renumbering as necessary.

JONES of Clay

H-8492

- 1 Amend House File 2501 as follows:
 2 1. Page 1, by striking lines 30 through 33 and inserting:
 3 <~~4. Of the funds appropriated in this section, at least~~
 4 ~~\$125,000 shall be used to fund the unmet needs identified~~
 5 ~~through Iowa's aging and disability resource center network.~~>
 6 2. Page 6, line 2, by striking <12.00> and inserting <12.00
 7 13.00>
 8 3. Page 25, after line 32 by inserting:
 9 <Sec. ___. 2017 Iowa Acts, chapter 174, section 48,
 10 subsection 4, is amended by striking the subsection.>
 11 4. Page 29, lines 34 and 35, by striking <as of June 1,
 12 2018>
 13 5. Page 32, line 31, by striking <\$723,000> and inserting
 14 <\$573,000>
 15 6. Page 33, by striking lines 6 through 15 and inserting:
 16 <b. Of the funds allocated in this subsection, \$12,500
 17 \$25,000 shall be used for the public purpose of continuation
 18 of a grant to a nonprofit provider of child welfare services
 19 provider headquartered that has been in existence for more than
 20 115 years, is located in a county with a population between
 21 205,000 200,000 and 215,000 in 220,000 according to the latest
 22 certified federal census that provides multiple services
 23 including but not limited to, is licensed as a psychiatric
 24 medical institution for children, shelter, residential
 25 treatment, after school programs, and provides school-based
 26 programming, and an Asperger's syndrome program; to be used for
 27 support services for children with autism spectrum disorder and
 28 their families.>
 29 7. Page 34, line 30, by striking <40,816,831> and inserting
 30 <40,816,931>

- 31 8. Page 48, after line 16 by inserting:
 32 <Sec. __. 2017 Iowa Acts, chapter 174, section 70,
 33 subsection 7, is amended to read as follows:
 34 7.a. For the purposes of this subsection, “combined
 35 reimbursement rate” means the combined service and maintenance

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- 1 reimbursement rate for a service level under the department’s
 2 reimbursement methodology. Effective July 1, 2018, the
 3 combined reimbursement rate for a group foster care service
 4 level shall be the amount designated in this subsection.
 5 However, if a group foster care provider’s reimbursement rate
 6 for a service level as of June 30, 2018, is more than the rate
 7 designated in this subsection, the provider’s reimbursement
 8 shall remain at the higher rate.
 9 b. Unless a group foster care provider is subject to the
 10 exception provided in paragraph “a”, effective July 1, 2018,
 11 the combined reimbursement rates for the service levels under
 12 the department’s reimbursement methodology shall be as follows:
 13 (1) For service level, community—D1, the daily rate shall
 14 be at least \$84.17.
 15 (2) For service level, comprehensive—D2, the daily rate
 16 shall be at least \$119.09.
 17 (3) For service level, enhanced—D3, the daily rate shall
 18 be at least \$131.09 established by contract.>
 19 9. Page 74, by striking lines 13 through 21 and inserting:
 20 <c. During the period of April 2, 2013, through July 1,
 21 2013, the The department shall work with any county that has
 22 not agreed to be part of a region in accordance with paragraph
 23 “a” and with the regions forming around the county to resolve
 24 issues preventing the county from joining a region. By July
 25 1, 2013, a A county that has not agreed to be part of a region
 26 in accordance with paragraph “a” shall be assigned by the
 27 department to a region, unless exempted pursuant to subsection
 28 1 prior to July 1, 2014.>
 29 10. Page 86, line 12, by striking <331.424A> and inserting
 30 <331.432>
 31 11. Page 86, line 15, by striking <not comprised of revenue
 32 generated by a levy>
 33 12. By striking page 90, line 16, through page 92, line 26.
 34 13. By renumbering as necessary.

HEATON of Henry

H-8493

- 1 Amend House File 2501 as follows:
 2 1. Page 94, after line 10 by inserting:
 3 <Sec. __. Section 124E.5, subsection 1, paragraph b, Code
 4 2018, is amended to read as follows:

- 5 ~~b. The practitioners~~ Each practitioner shall be licensed
 6 hold an active license in this state and be nationally
 7 board-certified in ~~their~~ the practitioner's area of specialty
 8 and knowledgeable about the use of medical cannabidiol.>
 9 2. By renumbering as necessary.

FORBES of Polk

H-8494

- 1 Amend House File 631, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. Page 1, line 3, by striking <2017> and inserting <2018>
 4 2. Page 1, line 21, by striking <2018> and inserting <2019>
 5 3. Page 1, line 30, by striking <2017> and inserting <2018>
 6 4. Page 2, line 2, by striking <2017> and inserting <2018>
 7 5. Page 2, line 4, by striking <2017> and inserting <2018>
 8 6. Page 2, line 31, by striking <2017> and inserting <2018>
 9 7. Page 2, line 35, by striking <2017> and inserting <2018>
 10 8. Page 3, line 10, by striking <2017> and inserting <2018>
 11 9. Page 3, line 16, by striking <2017> and inserting <2018>
 12 10. Page 3, line 27, by striking <2017> and inserting <2018>
 13 11. Page 4, line 25, by striking <2020> and inserting <2021>
 14 12. Page 4, after line 25 by inserting:
 15 <Sec. ____ Section 483A.8, subsection 7, Code 2018, is
 16 amended to read as follows:
 17 7. A person who is issued a youth deer hunting license ~~and~~
 18 ~~does not take a deer during the youth deer hunting season may~~
 19 use the deer hunting license and ~~unused~~ tag during any ~~other~~
 20 ~~firearm~~ established deer hunting season that is established by
 21 the commission to take a deer of either sex using the method of
 22 take authorized by rule for each season being hunted. If the
 23 tag is filled during one of the seasons, the license will not
 24 be valid in subsequent seasons.>
 25 13. Page 4, line 26, by striking <2017> and inserting <2018>
 26 14. Page 5, line 3, by striking <2017> and inserting <2018>
 27 15. Page 6, line 7, by striking <2017> and inserting <2018>
 28 16. Page 6, line 11, by striking <2017> and inserting <2018>
 29 17. Page 6, line 15, by striking <2017> and inserting <2018>
 30 18. Page 6, line 30, by striking <2017> and inserting <2018>
 31 19. Page 6, line 35, by striking <2017> and inserting <2018>
 32 20. Page 7, line 19, by striking <2017> and inserting <2018>
 33 21. Page 8, line 18, by striking <2017> and inserting <2018>
 34 22. Page 9, line 9, by striking <2017> and inserting <2018>
 35 23. Page 9, line 17, by striking <2017> and inserting <2018>

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- 1 24. Page 9, line 29, by striking <2017> and inserting <2018>
 2 25. Page 10, line 16, by striking <2017> and inserting
 3 <2018>
 4 26. Page 11, line 3, by striking <2017> and inserting <2018>

- 5 27. Page 11, line 20, by striking <2017> and inserting
6 <2018>
7 28. Page 11, line 27, by striking <2017> and inserting
8 <2018>
9 29. Page 11, line 33, by striking <2017> and inserting
10 <2018>
11 30. Page 12, line 8, by striking <2017> and inserting <2018>
12 31. Page 12, line 11, by striking <2017> and inserting
13 <2018>
14 32. Page 12, line 14, by striking <2017> and inserting
15 <2018>
16 33. Page 12, by striking line 15 and inserting <2018, is
17 subject to the provisions of Code 2018. This Act does>
18 34. Page 12, line 17, by striking <2017> and inserting
19 <2018>
20 35. By renumbering as necessary.

SENATE AMENDMENT

H-8495

- 1 Amend House File 2501 as follows:
2 1. Page 10, line 15, by striking <4,865,152> and inserting
3 <4,970,152>
4 2. Page 11, line 20, by striking <\$437,829> and inserting
5 <\$542,829>
6 3. Page 26, line 8, by striking <1,337,946.375> and
7 inserting <1,337,841.375>
8 4. Page 29, line 23, by striking <\$300,000> and inserting
9 <\$195,000>

HEATON of Henry

H-8496

- 1 Amend House File 2501 as follows:
2 1. Page 111, after line 12 by inserting:
3 <DIVISION ___
4 MEDICAID REIMBURSEMENT POLICIES FOR INPATIENT CARE
5 Sec. ___.MEDICAID REIMBURSEMENT POLICIES.
6 1. The department of human services shall amend 441 IAC
7 79.1(5)(g)(5) relating to the billing for patient transfers
8 and readmissions for inpatient readmissions within 30 days for
9 the same condition, to define "same condition" as the same
10 Medicare severity diagnosis related groups (MS-DRG) code.
11 Planned admissions for conditions including but not limited
12 to transplant, dialysis, pregnancy, rehabilitation care, and
13 chemotherapy shall be excluded from this reimbursement policy.
14 2. If a Medicaid member is enrolled with a managed care
15 organization or changes the member's managed care organization
16 at any point during an inpatient stay, the managed care
17 organization effective at admission is responsible for the

18 reimbursement for the admission, not to exceed 60 calendar days
 19 after disenrollment of the member.
 20 Sec. __.EFFECTIVE DATE. This division of this Act, being
 21 deemed of immediate importance, takes effect upon enactment.
 22 Sec. __.RETROACTIVE APPLICABILITY. This division of this
 23 Act applies retroactively to April 1, 2016.>
 24 2. By renumbering as necessary.

WESSEL-KROESCHELL of Story

H-8497

1 Amend House File 2501 as follows:
 2 1. Page 111, after line 12 by inserting:
 3 <DIVISION __
 4 FOSTER CARE AND ADOPTED CHILDREN
 5 Sec. __.FOSTER CARE AND ADOPTED CHILDREN — ANNUAL MEDICAL
 6 VISIT. The department of human services shall adopt rules
 7 pursuant to chapter 17A to require every foster child and every
 8 child adopted from foster care whose adoptive parents receive
 9 an adoption subsidy to receive an annual visit to a medical
 10 professional.>
 11 2. By renumbering as necessary.

LENSING of Johnson

H-8498

1 Amend House File 2501 as follows:
 2 1. Page 29, line 19, after <expenses.> by inserting <The
 3 department of human services shall submit a quarterly report
 4 to the legislative services agency regarding the status of the
 5 program including but not limited to data regarding the number
 6 and geographic locations of enrolled providers, the number
 7 of individuals receiving services, and expenditures to date
 8 including the amount expended on administrative expenses.>

WESSEL-KROESCHELL of Story

H-8499

1 Amend House File 2501 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <DIVISION I
 5 DEPARTMENT ON AGING — FY 2018-2019
 6 Section 1. 2017 Iowa Acts, chapter 174, section 40,
 7 unnumbered paragraphs 1 and 2, are amended to read as follows:
 8 There is appropriated from the general fund of the state
 9 to the department on aging for the fiscal year beginning July
 10 1, 2018, and ending June 30, 2019, the following amount, or
 11 so much thereof as is necessary, to be used for the purposes
 12 designated:

13 For aging programs for the department on aging and area
 14 agencies on aging to provide citizens of Iowa who are 60 years
 15 of age and older with case management for frail elders, Iowa’s
 16 aging and disabilities resource center, and other services
 17 which may include but are not limited to adult day services,
 18 respite care, chore services, information and assistance,
 19 and material aid, for information and options counseling for
 20 persons with disabilities who are 18 years of age or older,
 21 and for salaries, support, administration, maintenance, and
 22 miscellaneous purposes, and for not more than the following
 23 full-time equivalent positions:

24	\$ 5,521,238
25	<u>11,042,924</u>
26	FTEs 27.00

27 Sec. 2. 2017 Iowa Acts, chapter 174, section 40, subsections
 28 2, 4, 5, 6, and 7, are amended to read as follows:

29 2. Of the funds appropriated in this section, ~~\$139,973~~
 30 \$279,946 is transferred to the economic development authority
 31 for the Iowa commission on volunteer services to be used for
 32 the retired and senior volunteer program.

33 ~~4. Of the funds appropriated in this section, at least~~
 34 ~~\$125,000 shall be used to fund the unmet needs identified~~
 35 ~~through Iowa’s aging and disability resource center network.~~

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1 5. Of the funds appropriated in this section, at
 2 least ~~\$300,000~~ \$600,000 shall be used to fund home and
 3 community-based services through the area agencies on aging
 4 that enable older individuals to avoid more costly utilization
 5 of residential or institutional services and remain in their
 6 own homes.

7 6. Of the funds appropriated in this section, ~~\$406,268~~
 8 \$812,537 shall be used for the purposes of chapter 231E and
 9 ~~section 231.56A, of which \$175,000 shall be used for the office~~
 10 ~~of substitute decision maker pursuant to chapter 231E, and the~~
 11 ~~remainder shall be distributed equally to the area agencies on~~
 12 ~~aging to administer the prevention of elder abuse, neglect, and~~
 13 ~~exploitation program pursuant to section 231.56A, in accordance~~
 14 ~~with the requirements of the federal Older Americans Act of~~
 15 ~~1965, 42 U.S.C. §3001 et seq., as amended.~~

16 7. Of the funds appropriated in this section, ~~\$375,000~~
 17 \$1,000,000 shall be used to fund continuation of the aging
 18 and disability resource center lifelong links to provide
 19 individuals and caregivers with information and services to
 20 plan for and maintain independence.

21 Sec. 3. 2017 Iowa Acts, chapter 174, section 40, subsection
 22 8, is amended by striking the subsection.

23 Sec. 4. 2017 Iowa Acts, chapter 174, section 40, is amended
 24 by adding the following new subsection:

25 NEW SUBSECTION. 9. Of the funds appropriated in this
 26 section, \$100,000 shall be used by the department on aging,

27 in collaboration with the department of human services and
 28 affected stakeholders, to design a pilot initiative to provide
 29 long-term care options counseling utilizing support planning
 30 protocols, to assist non-Medicaid eligible consumers who
 31 indicate a preference to return to the community and are
 32 deemed appropriate for discharge, to return to their community
 33 following a nursing facility stay. The department on aging
 34 shall submit the design plan as well as recommendations for
 35 legislation necessary to administer the initiative, including

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1 but not limited to legislation to allow the exchange of contact
 2 information for nursing facility residents appropriate for
 3 discharge planning, to the governor and the general assembly by
 4 December 15, 2018.

5 DIVISION II

6 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2018-2019

7 Sec. 5. 2017 Iowa Acts, chapter 174, section 41, is amended
 8 to read as follows:

9 SEC. 41.OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
 10 appropriated from the general fund of the state to the office
 11 of long-term care ombudsman for the fiscal year beginning July
 12 1, 2018, and ending June 30, 2019, the following amount, or
 13 so much thereof as is necessary, to be used for the purposes
 14 designated:

15 For salaries, support, administration, maintenance, and
 16 miscellaneous purposes, and for not more than the following
 17 full-time equivalent positions:

18	\$	580,140
19		<u>1,149,821</u>
20	FTEs	16.00

21 DIVISION III

22 DEPARTMENT OF PUBLIC HEALTH — FY 2018-2019

23 Sec. 6. 2017 Iowa Acts, chapter 174, section 42, subsections
 24 1, 2, 3, 4, 5, 6, 7, and 8, are amended to read as follows:

25 1. ADDICTIVE DISORDERS

26 For reducing the prevalence of the use of tobacco, alcohol,
 27 and other drugs, and treating individuals affected by addictive
 28 behaviors, including gambling, and for not more than the
 29 following full-time equivalent positions:

30	\$	<u>12,492,915</u>
31		<u>24,804,344</u>
32	FTEs	10.00
33		<u>11.00</u>

34 a.(1) Of the funds appropriated in this subsection,
 35 ~~\$2,010,612~~ \$4,021,225 shall be used for the tobacco use

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1 prevention and control initiative, including efforts at the
 2 state and local levels, as provided in chapter 142A. The

3 commission on tobacco use prevention and control established
 4 pursuant to section 142A.3 shall advise the director of
 5 public health in prioritizing funding needs and the allocation
 6 of moneys appropriated for the programs and initiatives.
 7 Activities of the programs and initiatives shall be in
 8 alignment with the United States centers for disease control
 9 and prevention best practices for comprehensive tobacco control
 10 programs that include the goals of preventing youth initiation
 11 of tobacco usage, reducing exposure to secondhand smoke,
 12 and promotion of tobacco cessation. To maximize resources,
 13 the department shall determine if third-party sources are
 14 available to instead provide nicotine replacement products
 15 to an applicant prior to provision of such products to an
 16 applicant under the initiative. The department shall track and
 17 report to the individuals specified in this Act, any reduction
 18 in the provision of nicotine replacement products realized
 19 by the initiative through implementation of the prerequisite
 20 screening.

21 (2)(a) The department shall collaborate with the
 22 alcoholic beverages division of the department of commerce for
 23 enforcement of tobacco laws, regulations, and ordinances and to
 24 engage in tobacco control activities approved by the division
 25 of tobacco use prevention and control of the department of
 26 public health as specified in the memorandum of understanding
 27 entered into between the divisions.

28 (b) For the fiscal year beginning July 1, 2018, and ending
 29 June 30, 2019, the terms of the memorandum of understanding,
 30 entered into between the division of tobacco use prevention
 31 and control of the department of public health and the
 32 alcoholic beverages division of the department of commerce,
 33 governing compliance checks conducted to ensure licensed retail
 34 tobacco outlet conformity with tobacco laws, regulations, and
 35 ordinances relating to persons under 18 years of age, shall

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1 continue to restrict the number of such checks to one check per
 2 retail outlet, and one additional check for any retail outlet
 3 found to be in violation during the first check.

4 b. Of the funds appropriated in this subsection,
 5 ~~\$10,482,303~~ \$20,783,119 shall be used for problem gambling and
 6 substance-related disorder prevention, treatment, and recovery
 7 services, including a 24-hour helpline, public information
 8 resources, professional training, youth prevention, and program
 9 evaluation.

10 c. The requirement of section 123.17, subsection 5, is met
 11 by the appropriations and allocations made in this division of
 12 this Act for purposes of substance-related disorder treatment
 13 and addictive disorders for the fiscal year beginning July 1,
 14 2018.

15 d. The department of public health, in collaboration with
 16 the department of human services, shall engage a stakeholder

17 workgroup to review reimbursement provisions applicable
 18 to substance use disorder services providers. The issues
 19 considered by the workgroup shall include but are not limited
 20 to the adequacy of reimbursement provisions including for
 21 both outpatient and residential treatment, whether it is
 22 appropriate to rebase reimbursement, whether there is equity in
 23 reimbursement compared to the reimbursement methodologies used
 24 for providers of similar behavioral health services, and access
 25 to substance use disorder services providers including whether
 26 the designated number of community mental health centers in the
 27 state is sufficient. The workgroup shall review the reports
 28 of previous workgroups including those authorized in 2014 Iowa
 29 Acts, chapter 1140, section 3, subsection 1, and shall report
 30 the workgroup's findings and recommendations to the general
 31 assembly on or before December 15, 2018.

32 2. HEALTHY CHILDREN AND FAMILIES

33 For promoting the optimum health status for children,
 34 adolescents from birth through 21 years of age, and families,
 35 and for not more than the following full-time equivalent

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1 positions:
 2 \$ 2,662,816
 3 5,820,625
 4 FTEs 12.00
 5 13.00
 6 a. Of the funds appropriated in this subsection, not
 7 more than ~~\$367,420~~ \$734,841 shall be used for the healthy
 8 opportunities for parents to experience success (HOPES)-healthy
 9 families Iowa (HFI) program established pursuant to section
 10 135.106. The funding shall be distributed to renew the grants
 11 that were provided to the grantees that operated the program
 12 during the fiscal year ending June 30, 2018.
 13 b. In order to implement the legislative intent stated in
 14 sections 135.106 and 256I.9, that priority for home visitation
 15 program funding be given to programs using evidence-based or
 16 promising models for home visitation, it is the intent of the
 17 general assembly to phase in the funding priority in accordance
 18 with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,
 19 paragraph "0b".
 20 c. Of the funds appropriated in this subsection, ~~\$1,537,550~~
 21 \$3,075,101 shall be used for continuation of the department's
 22 initiative to provide for adequate developmental surveillance
 23 and screening during a child's first five years. The funds
 24 shall be used first to fully fund the current sites to ensure
 25 that the sites are fully operational, with the remaining
 26 funds to be used for expansion to additional sites. The full
 27 implementation and expansion shall include enhancing the scope
 28 of the initiative through collaboration with the child health
 29 specialty clinics to promote healthy child development through
 30 early identification and response to both biomedical and social

31 determinants of healthy development; by monitoring child
 32 health metrics to inform practice, document long-term health
 33 impacts and savings, and provide for continuous improvement
 34 through training, education, and evaluation; and by providing
 35 for practitioner consultation particularly for children with

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1 behavioral conditions and needs. The department of public
 2 health shall also collaborate with the Iowa Medicaid enterprise
 3 and the child health specialty clinics to integrate the
 4 activities of the first five initiative into the establishment
 5 of patient-centered medical homes, community utilities,
 6 accountable care organizations, and other integrated care
 7 models developed to improve health quality and population
 8 health while reducing health care costs. To the maximum extent
 9 possible, funding allocated in this paragraph shall be utilized
 10 as matching funds for medical assistance program reimbursement.

11 d. Of the funds appropriated in this subsection, ~~\$32,320~~
 12 \$64,640 shall be distributed to a statewide dental carrier to
 13 provide funds to continue the donated dental services program
 14 patterned after the projects developed by the lifeline network
 15 to provide dental services to indigent individuals who are
 16 elderly or with disabilities.

17 e. Of the funds appropriated in this subsection, ~~\$78,241~~
 18 \$156,482 shall be used to provide audiological services and
 19 hearing aids for children. The department may enter into a
 20 contract to administer this paragraph.

21 f. Of the funds appropriated in this subsection, ~~\$11,500~~
 22 \$23,000 is transferred to the university of Iowa college of
 23 dentistry for provision of primary dental services to children.
 24 State funds shall be matched on a dollar-for-dollar basis.
 25 The university of Iowa college of dentistry shall coordinate
 26 efforts with the department of public health, bureau of
 27 oral and health delivery systems, to provide dental care to
 28 underserved populations throughout the state.

29 g. Of the funds appropriated in this subsection, ~~\$25,000~~
 30 \$50,000 shall be used to address youth suicide prevention.

31 h. Of the funds appropriated in this subsection, ~~\$20,255~~
 32 \$40,511 shall be used to support the Iowa effort to address the
 33 survey of children who experience adverse childhood experiences
 34 known as ACEs.

35 i. The department of public health shall continue to

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1 administer the program to assist parents in this state with
 2 costs resulting from the death of a child in accordance with
 3 the provisions of 2014 Iowa Acts, chapter 1140, section 22,
 4 subsection 12.

5 j. Of the funds appropriated in this subsection, up to
 6 \$494,993 shall be used for childhood obesity prevention.

7 3. CHRONIC CONDITIONS

8 For serving individuals identified as having chronic
9 conditions or special health care needs, and for not more than
10 the following full-time equivalent positions:

11	\$	<u>2,085,375</u>
12		<u>4,528,109</u>
13	FTEs	<u>5.00</u>
14		<u>9.00</u>

15 a. Of the funds appropriated in this subsection, ~~\$76,877~~
16 \$153,755 shall be used for grants to individual patients who
17 have an inherited metabolic disorder to assist with the costs
18 of medically necessary foods and formula.

19 b. Of the funds appropriated in this subsection, ~~\$510,397~~
20 \$1,055,291 shall be used for the brain injury services program
21 pursuant to section 135.22B, including for contracting with an
22 existing nationally affiliated and statewide organization whose
23 purpose is to educate, serve, and support Iowans with brain
24 injury and their families for resource facilitator services
25 in accordance with section 135.22B, subsection 9, and for
26 contracting to enhance brain injury training and recruitment
27 of service providers on a statewide basis. Of the amount
28 allocated in this paragraph, ~~\$47,500~~ \$95,000 shall be used to
29 fund one full-time equivalent position to serve as the state
30 brain injury services program manager.

31 c. Of the funds appropriated in this subsection, ~~\$72,048~~
32 \$144,097 shall be used for the public purpose of continuing
33 to contract with an existing national-affiliated organization
34 to provide education, client-centered programs, and client
35 and family support for people living with epilepsy and their

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1 families. The amount allocated in this paragraph in excess
2 of ~~\$50,000~~ \$100,000 shall be matched dollar-for-dollar by the
3 organization specified.

4 d. Of the funds appropriated in this subsection, ~~\$404,775~~
5 \$809,550 shall be used for child health specialty clinics.

6 e. Of the funds appropriated in this subsection,
7 ~~\$192,276~~ \$384,552 shall be used by the regional autism
8 assistance program established pursuant to section 256.35,
9 and administered by the child health specialty clinic located
10 at the university of Iowa hospitals and clinics. The funds
11 shall be used to enhance interagency collaboration and
12 coordination of educational, medical, and other human services
13 for persons with autism, their families, and providers of
14 services, including delivering regionalized services of care
15 coordination, family navigation, and integration of services
16 through the statewide system of regional child health specialty
17 clinics and fulfilling other requirements as specified in
18 chapter 225D. The university of Iowa shall not receive funds
19 allocated under this paragraph for indirect costs associated
20 with the regional autism assistance program.

21 f. Of the funds appropriated in this subsection, ~~\$288,687~~
 22 \$577,375 shall be used for the comprehensive cancer control
 23 program to reduce the burden of cancer in Iowa through
 24 prevention, early detection, effective treatment, and ensuring
 25 quality of life. Of the funds allocated in this paragraph "f",
 26 ~~\$75,000~~ \$150,000 shall be used to support a melanoma research
 27 symposium, a melanoma biorepository and registry, basic and
 28 translational melanoma research, and clinical trials.

29 g. Of the funds appropriated in this subsection, ~~\$48,766~~
 30 \$97,532 shall be used for cervical and colon cancer screening,
 31 and ~~\$88,860~~ \$177,720 shall be used to enhance the capacity of
 32 the cervical cancer screening program to include provision
 33 of recommended prevention and early detection measures to a
 34 broader range of low-income women.

35 h. Of the funds appropriated in this subsection, ~~\$253,177~~

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1 \$506,355 shall be used for the center for congenital and
 2 inherited disorders.

3 i. Of the funds appropriated in this subsection, ~~\$107,631~~
 4 \$225,263 shall be used by the department of public health
 5 for reform-related activities, including but not limited to
 6 facilitation of communication to stakeholders at the state and
 7 local level, administering the patient-centered health advisory
 8 council pursuant to section 135.159, and involvement in health
 9 care system innovation activities occurring across the state.

10 j. Of the funds appropriated in this subsection, ~~\$11,050~~
 11 \$322,100 shall be used for administration of chapter ~~124D~~ 124E,
 12 the medical cannabidiol Act.

13 4. COMMUNITY CAPACITY

14 For strengthening the health care delivery system at the
 15 local level, and for not more than the following full-time
 16 equivalent positions:

17	\$	1,453,888
18		<u>4,970.152</u>
19	FTEs	13.00

20 a. Of the funds appropriated in this subsection, ~~\$47,787~~
 21 \$95,575 is allocated for continuation of the child vision
 22 screening program implemented through the university of Iowa
 23 hospitals and clinics in collaboration with early childhood
 24 Iowa areas. The program shall submit a report to the
 25 individuals identified in this Act for submission of reports
 26 regarding the use of funds allocated under this paragraph
 27 "a". The report shall include the objectives and results for
 28 the program year including the target population and how the
 29 funds allocated assisted the program in meeting the objectives;
 30 the number, age, and location within the state of individuals
 31 served; the type of services provided to the individuals
 32 served; the distribution of funds based on service provided;
 33 and the continuing needs of the program.

34 b. Of the funds appropriated in this subsection, ~~\$52,828~~ is

35 allocated for continuation of an initiative implemented at the

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1 university of Iowa to expand and improve the workforce engaged
2 in mental health treatment and services. The initiative shall
3 receive input from the university of Iowa, the department of
4 human services, the department of public health, and the mental
5 health and disability services commission to address the focus
6 of the initiative.

7 e. Of the funds appropriated in this section, \$41,657 shall
8 be deposited in the governmental public health system fund
9 created in section 135A.8 to be used for the purposes of the
10 fund.

11 d. Of the funds appropriated in this subsection, \$24,034
12 ~~\$48,069~~ shall be used for a grant to a statewide association
13 of psychologists that is affiliated with the American
14 psychological association to be used for continuation of a
15 program to rotate intern psychologists in placements in urban
16 and rural mental health professional shortage areas, as defined
17 in section 135.180.

18 e. Of the funds appropriated in this subsection, the
19 following amounts are allocated to be used as follows to
20 support the Iowa collaborative safety net provider network
21 goals of increased access, health system integration, and
22 engagement.

23 (1) Not less than ~~\$260,931~~ \$542,829 is allocated to the
24 Iowa prescription drug corporation for continuation of the
25 pharmaceutical infrastructure for safety net providers as
26 described in 2007 Iowa Acts, chapter 218, section 108, and for
27 the prescription drug donation repository program created in
28 chapter 135M.

29 (2) Not less than ~~\$167,435~~ \$334,870 is allocated to free
30 clinics and free clinics of Iowa for necessary infrastructure,
31 statewide coordination, provider recruitment, service delivery,
32 and provision of assistance to patients in securing a medical
33 home inclusive of oral health care.

34 (3) Not less than ~~\$12,500~~ \$25,000 is allocated to the
35 Iowa association of rural health clinics for necessary

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1 infrastructure and service delivery transformation.

2 (4) Not less than ~~\$50,000~~ \$205,493 is allocated to the
3 Polk county medical society for continuation of the safety net
4 provider patient access to a specialty health care initiative
5 as described in 2007 Iowa Acts, chapter 218, section 109.

6 f. Of the funds appropriated in this subsection, ~~\$38,115~~
7 \$15,000 shall be used by the department in implementing
8 the recommendations in the final report submitted by the
9 direct care worker advisory council to the governor and the
10 general assembly in March 2012, including by continuing to

11 develop, promote, and make available on a statewide basis the
 12 prepare-to-care core curriculum and its associated modules
 13 and specialties through various formats including online
 14 access, community colleges, and other venues; exploring new and
 15 maintaining existing specialties including but not limited to
 16 oral health and dementia care; supporting instructor training;
 17 and assessing and making recommendations concerning the Iowa
 18 care book and information technology systems and infrastructure
 19 uses and needs.

20 g. Of the funds appropriated in this subsection, ~~\$95,594~~
 21 \$176,188 shall be allocated for continuation of the contract
 22 with an independent statewide direct care worker organization
 23 previously selected through a request for proposals process.
 24 The contract shall continue to include performance and outcomes
 25 measures, and shall continue to allow the contractor to use a
 26 portion of the funds received under the contract to collect
 27 data to determine results based on the performance and outcomes
 28 measures.

29 h. Of the funds appropriated in this subsection, the
 30 department may use up to ~~\$29,087~~ \$58,175 for up to one
 31 full-time equivalent position to administer the volunteer
 32 health care provider program pursuant to section 135.24.

33 i. Of the funds appropriated in this subsection, ~~\$48,069~~
 34 \$96,138 shall be used for a matching dental education loan
 35 repayment program to be allocated to a dental nonprofit health

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1 service corporation to continue to develop the criteria and
 2 implement the loan repayment program.

3 ~~j. Of the funds appropriated in this subsection, \$26,455 is~~
 4 ~~transferred to the college student aid commission for deposit~~
 5 ~~in the rural Iowa primary care trust fund created in section~~
 6 ~~261.113 to be used for the purposes of the fund.~~

7 k. Of the funds appropriated in this subsection, ~~\$75,000~~
 8 \$100,000 shall be used for the purposes of the Iowa donor
 9 registry as specified in section 142C.18.

10 l. Of the funds appropriated in this subsection, ~~\$48,069~~
 11 \$96,138 shall be used for continuation of a grant to a
 12 nationally affiliated volunteer eye organization that has an
 13 established program for children and adults and that is solely
 14 dedicated to preserving sight and preventing blindness through
 15 education, nationally certified vision screening and training,
 16 and community and patient service programs. The organization
 17 shall submit a report to the individuals identified in this
 18 Act for submission of reports regarding the use of funds
 19 allocated under this paragraph "l". The report shall include
 20 the objectives and results for the program year including
 21 the target population and how the funds allocated assisted
 22 the program in meeting the objectives; the number, age, and
 23 location within the state of individuals served; the type of
 24 services provided to the individuals served; the distribution

25 of funds based on services provided; and the continuing needs
26 of the program.

27 m. Of the funds appropriated in this subsection, ~~\$436,327~~
28 \$2,000,000 shall be deposited in the medical residency training
29 account created in section 135.175, subsection 5, paragraph
30 "a", and is appropriated from the account to the department
31 of public health to be used for the purposes of the medical
32 residency training state matching grants program as specified
33 in section 135.176.

34 n. Of the funds appropriated in this subsection, \$250,000
35 shall be used for the public purpose of providing funding to

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1 Des Moines university to establish a provider education project
2 to provide primary care physicians with the training and skills
3 necessary to recognize signs of mental illness in patients.

4 5. ESSENTIAL PUBLIC HEALTH SERVICES

5 To provide public health services that reduce risks and
6 invest in promoting and protecting good health over the
7 course of a lifetime with a priority given to older Iowans and
8 vulnerable populations:

9 \$ 4,098,939
10 7,662,464

11 6. INFECTIOUS DISEASES

12 For reducing the incidence and prevalence of communicable
13 diseases, and for not more than the following full-time
14 equivalent positions:

15 \$ 823,213
16 1,796,426
17 FTEs 4.00

18 7. PUBLIC PROTECTION

19 For protecting the health and safety of the public through
20 establishing standards and enforcing regulations, and for not
21 more than the following full-time equivalent positions:

22 \$ 2,097,569
23 4,095,139
24 FTEs 138.00
25 141.00

26 a. Of the funds appropriated in this subsection, not more
27 than ~~\$152,350~~ \$304,700 shall be credited to the emergency
28 medical services fund created in section 135.25. Moneys in
29 the emergency medical services fund are appropriated to the
30 department to be used for the purposes of the fund.

31 b. Of the funds appropriated in this subsection, up
32 to ~~\$121,630~~ \$243,260 shall be used for sexual violence
33 prevention programming through a statewide organization
34 representing programs serving victims of sexual violence
35 through the department's sexual violence prevention program,

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1 and for continuation of a training program for sexual assault
2 response team (SART) members, including representatives of
3 law enforcement, victim advocates, prosecutors, and certified
4 medical personnel. The amount allocated in this paragraph "b"
5 shall not be used to supplant funding administered for other
6 sexual violence prevention or victims assistance programs.

7 c. Of the funds appropriated in this subsection, up to
8 ~~\$287,813~~ \$500,000 shall be used for the state poison control
9 center. Pursuant to the directive under 2014 Iowa Acts,
10 chapter 1140, section 102, the federal matching funds available
11 to the state poison control center from the department of human
12 services under the federal Children's Health Insurance Program
13 Reauthorization Act allotment shall be subject to the federal
14 administrative cap rule of 10 percent applicable to funding
15 provided under Tit. XXI of the federal Social Security Act and
16 included within the department's calculations of the cap.

17 d. Of the funds appropriated in this subsection, up to
18 ~~\$258,491~~ \$504,796 shall be used for childhood lead poisoning
19 provisions.

20 8. RESOURCE MANAGEMENT

21 For establishing and sustaining the overall ability of the
22 department to deliver services to the public, and for not more
23 than the following full-time equivalent positions:

24	\$	485,607
25		<u>971,215</u>
26	FTEs	4.00

27 Sec. 7. 2017 Iowa Acts, chapter 174, section 42, subsections
28 10 and 11, are amended by striking the subsections.

29 DIVISION IV

30 DEPARTMENT OF VETERANS AFFAIRS — FY 2018-2019

31 Sec. 8. 2017 Iowa Acts, chapter 174, section 43, is amended
32 to read as follows:

33 SEC. 43. DEPARTMENT OF VETERANS AFFAIRS. There is
34 appropriated from the general fund of the state to the
35 department of veterans affairs for the fiscal year beginning

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1 July 1, 2018, and ending June 30, 2019, the following amounts,
2 or so much thereof as is necessary, to be used for the purposes
3 designated:

4 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

5 For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:

8	\$	571,278
9		<u>1,150,500</u>
10	FTEs	15.00

11 2. IOWA VETERANS HOME

12 For salaries, support, maintenance, and miscellaneous

13 purposes:

14 \$ ~~3,614,070~~
 15 7,162,976

16 a. The Iowa veterans home billings involving the department
 17 of human services shall be submitted to the department on at
 18 least a monthly basis.

19 b. Within available resources and in conformance with
 20 associated state and federal program eligibility requirements,
 21 the Iowa veterans home may implement measures to provide
 22 financial assistance to or on behalf of veterans or their
 23 spouses who are participating in the community reentry program.

24 d. The Iowa veterans home shall continue to include in the
 25 annual discharge report applicant information and to provide
 26 for the collection of demographic information including but not
 27 limited to the number of individuals applying for admission and
 28 admitted or denied admittance and the basis for the admission
 29 or denial; the age, gender, and race of such individuals;
 30 and the level of care for which such individuals applied for
 31 admission including residential or nursing level of care.

32 3. HOME OWNERSHIP ASSISTANCE PROGRAM

33 For transfer to the Iowa finance authority for the
 34 continuation of the home ownership assistance program for
 35 persons who are or were eligible members of the armed forces of

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1 the United States, pursuant to section 16.54:
 2 \$ ~~1,000,000~~
 3 2,000,000

4 Sec. 9. 2017 Iowa Acts, chapter 174, section 44, is amended
 5 to read as follows:

6 SEC. 44.LIMITATION OF COUNTY COMMISSIONS OF VETERAN
 7 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
 8 standing appropriation in section 35A.16 for the fiscal year
 9 beginning July 1, 2018, and ending June 30, 2019, the amount
 10 appropriated from the general fund of the state pursuant to
 11 that section for the following designated purposes shall not
 12 exceed the following amount:

13 For the county commissions of veteran affairs fund under
 14 section 35A.16:
 15 \$ ~~473,962~~
 16 990,000

17 DIVISION V

18 DEPARTMENT OF HUMAN SERVICES — FY 2018-2019

19 Sec. 10. 2017 Iowa Acts, chapter 174, section 45, is amended
 20 to read as follows:

21 SEC. 45.TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
 22 GRANT. There is appropriated from the fund created in section
 23 8.41 to the department of human services for the fiscal year
 24 beginning July 1, 2018, and ending June 30, 2019, from moneys
 25 received under the federal temporary assistance for needy
 26 families (TANF) block grant pursuant to the federal Personal

27 Responsibility and Work Opportunity Reconciliation Act of 1996,
28 Pub. L. No. 104-193, and successor legislation, the following
29 amounts, or so much thereof as is necessary, to be used for the
30 purposes designated:

31 1. To be credited to the family investment program account
32 and used for assistance under the family investment program
33 under chapter 239B:

34 \$ ~~2,556,231~~
35 4,539,006

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1 2. To be credited to the family investment program account
2 and used for the job opportunities and basic skills (JOBS)
3 program and implementing family investment agreements in
4 accordance with chapter 239B:

5 \$ ~~2,787,846~~
6 5,412,060

7 3. To be used for the family development and
8 self-sufficiency grant program in accordance with section
9 216A.107:

10 \$ ~~1,449,490~~
11 2,883,980

12 Notwithstanding section 8.33, moneys appropriated in this
13 subsection that remain unencumbered or unobligated at the close
14 of the fiscal year shall not revert but shall remain available
15 for expenditure for the purposes designated until the close of
16 the succeeding fiscal year. However, unless such moneys are
17 encumbered or obligated on or before September 30, 2019, the
18 moneys shall revert.

19 4. For field operations:

20 \$ ~~15,648,116~~
21 31,296,232

22 5. For general administration:

23 \$ ~~1,872,000~~
24 3,744,000

25 6. For state child care assistance:

26 \$ ~~23,933,413~~
27 47,166,826

28 a. Of the funds appropriated in this subsection,
29 ~~\$13,164,048~~ \$26,205,412 is transferred to the child care
30 and development block grant appropriation made by the
31 Eighty-seventh General Assembly, 2018 session, for the federal
32 fiscal year beginning October 1, 2018, and ending September
33 30, 2019. Of this amount, ~~\$100,000~~ \$200,000 shall be used
34 for provision of educational opportunities to registered
35 child care home providers in order to improve services and

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1 programs offered by this category of providers and to increase
2 the number of providers. The department may contract with

3 institutions of higher education or child care resource and
 4 referral centers to provide the educational opportunities.
 5 Allowable administrative costs under the contracts shall not
 6 exceed 5 percent. The application for a grant shall not exceed
 7 two pages in length.

8 b. Any funds appropriated in this subsection remaining
 9 unallocated shall be used for state child care assistance
 10 payments for families who are employed including but not
 11 limited to individuals enrolled in the family investment
 12 program.

13 7. For child and family services:
 14 \$ 16,190,327
 15 32,380,654

16 8. For child abuse prevention grants:
 17 \$ 62,500
 18 125,000

19 9. For pregnancy prevention grants on the condition that
 20 family planning services are funded:
 21 \$ 965,033
 22 1,913,203

23 Pregnancy prevention grants shall be awarded to programs
 24 in existence on or before July 1, 2018, if the programs have
 25 demonstrated positive outcomes. Grants shall be awarded to
 26 pregnancy prevention programs which are developed after July
 27 1, 2018, if the programs are based on existing models that
 28 have demonstrated positive outcomes. Grants shall comply with
 29 the requirements provided in 1997 Iowa Acts, chapter 208,
 30 section 14, subsections 1 and 2, including the requirement that
 31 grant programs must emphasize sexual abstinence. Priority in
 32 the awarding of grants shall be given to programs that serve
 33 areas of the state which demonstrate the highest percentage of
 34 unplanned pregnancies of females of childbearing age within the
 35 geographic area to be served by the grant.

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1 10. For technology needs and other resources necessary
 2 to meet federal welfare reform reporting, tracking, and case
 3 management requirements:
 4 \$ 518,593
 5 1,037,186

6 11.a. Notwithstanding any provision to the contrary,
 7 including but not limited to requirements in section 8.41 or
 8 provisions in 2017 or 2018 Iowa Acts regarding the receipt and
 9 appropriation of federal block grants, federal funds from the
 10 temporary assistance for needy families block grant received
 11 by the state and not otherwise appropriated in this section
 12 and remaining available for the fiscal year beginning July 1,
 13 2018, are appropriated to the department of human services to
 14 the extent as may be necessary to be used in the following
 15 priority order: the family investment program, for state child
 16 care assistance program payments for families who are employed,

17 and for the family investment program share of system costs
 18 ~~to develop and maintain a new, integrated~~ for eligibility
 19 ~~determination system and related functions.~~ The federal funds
 20 appropriated in this paragraph “a” shall be expended only after
 21 all other funds appropriated in subsection 1 for assistance
 22 under the family investment program, in subsection 6 for child
 23 care assistance, or in subsection 10 for technology costs
 24 related to the family investment program, as applicable, have
 25 been expended. For the purposes of this subsection, the funds
 26 appropriated in subsection 6, paragraph “a”, for transfer
 27 to the child care and development block grant appropriation
 28 are considered fully expended when the full amount has been
 29 transferred.

30 b. The department shall, on a quarterly basis, advise the
 31 legislative services agency and department of management of
 32 the amount of funds appropriated in this subsection that was
 33 expended in the prior quarter.

34 12. Of the amounts appropriated in this section, ~~\$6,481,004~~
 35 \$12,962,008 for the fiscal year beginning July 1, 2018, is

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1 transferred to the appropriation of the federal social services
 2 block grant made to the department of human services for that
 3 fiscal year.

4 13. For continuation of the program providing categorical
 5 eligibility for the food assistance program as specified
 6 for the program in the section of this division of this Act
 7 relating to the family investment program account:

8 \$ 12,500
 9 14,236

10 14. The department may transfer funds allocated in this
 11 section to the appropriations made in this division of this Act
 12 for the same fiscal year for general administration and field
 13 operations for resources necessary to implement and operate the
 14 services referred to in this section and those funded in the
 15 appropriation made in this division of this Act for the same
 16 fiscal year for the family investment program from the general
 17 fund of the state.

18 15. With the exception of moneys allocated under this
 19 section for the family development and self-sufficiency grant
 20 program, to the extent moneys allocated in this section are
 21 deemed by the department not to be necessary to support the
 22 purposes for which they are allocated, such moneys may be
 23 credited used in the same fiscal year for any other purpose
 24 for which funds are allocated in this section or in section 7
 25 of this division for the family investment program account.
 26 If there are conflicting needs, priority shall first be given
 27 to the family investment program account as specified under
 28 subsection 1 of this section and used for the purposes of
 29 assistance under the family investment program under chapter
 30 239B ~~in the same fiscal year, followed by state child care~~

31 assistance program payments for families who are employed,
 32 followed by other priorities as specified by the department.
 33 Sec. 11. 2017 Iowa Acts, chapter 174, section 46, subsection
 34 4, is amended to read as follows:
 35 4. Moneys appropriated in this division of this Act and

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1 credited to the FIP account for the fiscal year beginning July
 2 1, 2018, and ending June 30, 2019, are allocated as follows:
 3 a. To be retained by the department of human services to
 4 be used for coordinating with the department of human rights
 5 to more effectively serve participants in FIP and other shared
 6 clients and to meet federal reporting requirements under the
 7 federal temporary assistance for needy families block grant:
 8 \$ 10,000
 9 5,000
 10 b. To the department of human rights for staffing,
 11 administration, and implementation of the family development
 12 and self-sufficiency grant program in accordance with section
 13 216A.107:
 14 \$ 3,096,417
 15 6,192,834
 16 (1) Of the funds allocated for the family development
 17 and self-sufficiency grant program in this paragraph “b”,
 18 not more than 5 percent of the funds shall be used for the
 19 administration of the grant program.
 20 (2) The department of human rights may continue to implement
 21 the family development and self-sufficiency grant program
 22 statewide during fiscal year 2018-2019.
 23 (3) The department of human rights may engage in activities
 24 to strengthen and improve family outcomes measures and
 25 data collection systems under the family development and
 26 self-sufficiency grant program.
 27 c. For the diversion subaccount of the FIP account:
 28 \$ 407,500
 29 749,694
 30 A portion of the moneys allocated for the subaccount may
 31 be used for field operations, salaries, data management
 32 system development, and implementation costs and support
 33 deemed necessary by the director of human services in order to
 34 administer the FIP diversion program. To the extent moneys
 35 allocated in this paragraph “c” are deemed by the department

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1 not to be necessary to support diversion activities, such
 2 moneys may be used for other efforts intended to increase
 3 engagement by family investment program participants in work,
 4 education, or training activities, or for the purposes of
 5 assistance under the family investment program in accordance
 6 with chapter 239B.

7 d. For the food assistance employment and training program:
 8 \$ ~~33,294~~
 9 66,588

10 (1) The department shall apply the federal supplemental
 11 nutrition assistance program (SNAP) employment and training
 12 state plan in order to maximize to the fullest extent permitted
 13 by federal law the use of the 50 percent federal reimbursement
 14 provisions for the claiming of allowable federal reimbursement
 15 funds from the United States department of agriculture
 16 pursuant to the federal SNAP employment and training program
 17 for providing education, employment, and training services
 18 for eligible food assistance program participants, including
 19 but not limited to related dependent care and transportation
 20 expenses.

21 (2) The department shall continue the categorical federal
 22 food assistance program eligibility at 160 percent of the
 23 federal poverty level and continue to eliminate the asset test
 24 from eligibility requirements, consistent with federal food
 25 assistance program requirements. The department shall include
 26 as many food assistance households as is allowed by federal
 27 law. The eligibility provisions shall conform to all federal
 28 requirements including requirements addressing individuals who
 29 are incarcerated or otherwise ineligible.

30 e. For the JOBS program:
 31 \$ ~~6,761,645~~
 32 12,139,821

33 Sec. 12. 2017 Iowa Acts, chapter 174, section 46, is amended
 34 by adding the following new subsection:
 35 NEW SUBSECTION. 7. The department of human services shall

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1 convene a workgroup to review opportunities to increase state
 2 engagement in the supplemental nutrition assistance program
 3 (SNAP) employment and training program. The workgroup shall
 4 explore the feasibility of expansion of the current pilot
 5 program to a statewide basis, the potential involvement of
 6 community-based organizations to the extent allowed by federal
 7 law, and the leveraging of state and private funding to match
 8 available federal funds. The membership of the workgroup
 9 shall include representatives of the department of human
 10 services, community colleges, community-based organizations
 11 serving SNAP recipients, philanthropic organizations, and other
 12 stakeholders with relevant interest or expertise as determined
 13 by the department. The workgroup shall submit a report of its
 14 findings and recommendations to the governor and the general
 15 assembly by December 15, 2018.

16 Sec. 13. 2017 Iowa Acts, chapter 174, section 47, unnumbered
 17 paragraph 2, is amended to read as follows:

18 To be credited to the family investment program (FIP)
 19 account and used for family investment program assistance under
 20 chapter 239B:

21 \$ 21,502,240
 22 40,365,715
 23 Sec. 14. 2017 Iowa Acts, chapter 174, section 47,
 24 subsections 1, 2, 4, and 5, are amended to read as follows:
 25 1. Of the funds appropriated in this section, \$3,973,798
 26 \$6,727,761 is allocated for the JOBS program.
 27 2. Of the funds appropriated in this section, \$1,656,927
 28 \$3,313,854 is allocated for the family development and
 29 self-sufficiency grant program.
 30 4. Of the funds appropriated in this section, \$97,839
 31 \$195,678 shall be used for continuation of a grant to an
 32 Iowa-based nonprofit organization with a history of providing
 33 tax preparation assistance to low-income Iowans in order to
 34 expand the usage of the earned income tax credit. The purpose
 35 of the grant is to supply this assistance to underserved areas

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1 of the state.
 2 5. Of the funds appropriated in this section, \$30,000
 3 \$70,000 shall be used for the continuation of ~~an unfunded pilot~~
 4 ~~project the parenting program~~, as defined specified in 441 IAC
 5 ~~100.1 100~~, relating to parental obligations, in which the child
 6 support recovery unit participates, to support the efforts
 7 of a nonprofit organization committed to strengthening the
 8 community through youth development, healthy living, and social
 9 responsibility headquartered in a county with a population
 10 over 350,000 according to the latest certified federal
 11 census. The funds allocated in this subsection shall be used
 12 by the recipient organization to develop a larger community
 13 effort, through public and private partnerships, to support a
 14 broad-based multi-county ~~fatherhood~~ parenthood initiative that
 15 promotes payment of child support obligations, improved family
 16 relationships, and full-time employment.
 17 Sec. 15. 2017 Iowa Acts, chapter 174, section 48, unnumbered
 18 paragraph 2, is amended to read as follows:
 19 For child support recovery, including salaries, support,
 20 maintenance, and miscellaneous purposes, and for not more than
 21 the following full-time equivalent positions:
 22 \$ 6,293,317
 23 14,586,635
 24 FTEs 459.00
 25 Sec. 16. 2017 Iowa Acts, chapter 174, section 48, subsection
 26 1, is amended to read as follows:
 27 1. The department shall expend up to \$12,164 \$24,329,
 28 including federal financial participation, for the fiscal year
 29 beginning July 1, 2018, for a child support public awareness
 30 campaign. The department and the office of the attorney
 31 general shall cooperate in continuation of the campaign. The
 32 public awareness campaign shall emphasize, through a variety
 33 of media activities, the importance of maximum involvement of
 34 both parents in the lives of their children as well as the

35 importance of payment of child support obligations.

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1 Sec. 17. 2017 Iowa Acts, chapter 174, section 48, subsection
2 4, is amended by striking the subsection.

3 Sec. 18. 2017 Iowa Acts, chapter 174, section 51, unnumbered
4 paragraph 2, is amended to read as follows:

5 For medical assistance program reimbursement and associated
6 costs as specifically provided in the reimbursement
7 methodologies in effect on June 30, 2018, except as otherwise
8 expressly authorized by law, consistent with options under
9 federal law and regulations, and contingent upon receipt of
10 approval from the office of the governor of reimbursement for
11 each abortion performed under the program:

12 \$642,202,870
13 1,337,841,375

14 Sec. 19. 2017 Iowa Acts, chapter 174, section 51,
15 subsections 3, 4, 5, 6, 7, 8, 14, 17, 18, and 19, are amended
16 to read as follows:

17 3. The department shall utilize not more than ~~\$30,000~~
18 ~~\$60,000~~ of the funds appropriated in this section to continue
19 the AIDS/HIV health insurance premium payment program as
20 established in 1992 Iowa Acts, Second Extraordinary Session,
21 chapter 1001, section 409, subsection 6. Of the funds
22 allocated in this subsection, not more than ~~\$2,500~~ \$5,000 may
23 be expended for administrative purposes.

24 4. Of the funds appropriated in this Act to the
25 department of public health for addictive disorders, ~~\$475,000~~
26 \$950,000 for the fiscal year beginning July 1, 2018, is
27 transferred to the department of human services for an
28 integrated substance-related disorder managed care system.
29 The departments of human services and public health shall
30 work together to maintain the level of mental health and
31 substance-related disorder treatment services provided by the
32 managed care contractors. Each department shall take the steps
33 necessary to continue the federal waivers as necessary to
34 maintain the level of services.

35 5.a. The department shall aggressively pursue options for

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1 providing medical assistance or other assistance to individuals
2 with special needs who become ineligible to continue receiving
3 services under the early and periodic screening, diagnostic,
4 and treatment program under the medical assistance program
5 due to becoming 21 years of age who have been approved for
6 additional assistance through the department's exception to
7 policy provisions, but who have health care needs in excess
8 of the funding available through the exception to policy
9 provisions.

10 b. Of the funds appropriated in this section, ~~\$50,000~~

11 \$100,000 shall be used for participation in one or more
12 pilot projects operated by a private provider to allow the
13 individual or individuals to receive service in the community
14 in accordance with principles established in *Olmstead v.*
15 *L.C.*, 527 U.S. 581 (1999), for the purpose of providing
16 medical assistance or other assistance to individuals with
17 special needs who become ineligible to continue receiving
18 services under the early and periodic screening, diagnostic,
19 and treatment program under the medical assistance program
20 due to becoming 21 years of age who have been approved for
21 additional assistance through the department's exception to
22 policy provisions, but who have health care needs in excess
23 of the funding available through the exception to the policy
24 provisions.

25 6. Of the funds appropriated in this section, up to
26 ~~\$1,525,041~~ \$3,050,082 may be transferred to the field
27 operations or general administration appropriations in this
28 division of this Act for operational costs associated with Part
29 D of the federal Medicare Prescription Drug Improvement and
30 Modernization Act of 2003, Pub. L. No. 108-173.

31 7. Of the funds appropriated in this section, up to
32 ~~\$221,050~~ \$142,100 may be transferred to the appropriation in
33 this division of this Act for medical contracts to be used
34 for clinical assessment services and prior authorization of
35 services.

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1 8. A portion of the funds appropriated in this section
2 may be transferred to the appropriations in this division of
3 this Act for general administration, medical contracts, the
4 children's health insurance program, or field operations to be
5 used for the state match cost to comply with the payment error
6 rate measurement (PERM) program for both the medical assistance
7 and children's health insurance programs as developed by the
8 centers for Medicare and Medicaid services of the United States
9 department of health and human services to comply with the
10 federal Improper Payments Information Act of 2002, Pub. L.
11 No. 107-300, and to support other reviews and quality control
12 activities to improve the integrity of these programs.

13 14. Of the funds appropriated in this section, ~~\$174,505~~
14 \$349,011 shall be used for the administration of the health
15 insurance premium payment program, including salaries, support,
16 maintenance, and miscellaneous purposes.

17 17.a. Of the funds appropriated in this section, up
18 to ~~\$25,000~~ \$50,000 may be transferred by the department to
19 the appropriation made in this division of this Act to the
20 department for the same fiscal year for general administration
21 to be used for associated administrative expenses and for not
22 more than one full-time equivalent position, in addition to
23 those authorized for the same fiscal year, to be assigned to
24 implementing the children's mental health home project.

25 b. Of the funds appropriated in this section, up to
 26 ~~\$200,000~~ \$400,000 may be transferred by the department to
 27 the appropriation made to the department in this division of
 28 this Act for the same fiscal year for Medicaid program-related
 29 general administration planning and implementation activities.
 30 The funds may be used for contracts or for personnel in
 31 addition to the amounts appropriated for and the positions
 32 authorized for general administration for the fiscal year.
 33 c. Of the funds appropriated in this section, up to
 34 ~~\$1,500,000~~ \$3,000,000 may be transferred by the department
 35 to the appropriations made in this division of this Act

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1 for the same fiscal year for general administration or
 2 medical contracts to be used to support the development
 3 and implementation of standardized assessment tools for
 4 persons with mental illness, an intellectual disability, a
 5 developmental disability, or a brain injury.
 6 18. Of the funds appropriated in this section, \$75,000
 7 \$150,000 shall be used for lodging expenses associated with
 8 care provided at the university of Iowa hospitals and clinics
 9 for patients with cancer whose travel distance is 30 miles or
 10 more and whose income is at or below 200 percent of the federal
 11 poverty level as defined by the most recently revised poverty
 12 income guidelines published by the United States department of
 13 health and human services. The department of human services
 14 shall establish the maximum number of overnight stays and the
 15 maximum rate reimbursed for overnight lodging, which may be
 16 based on the state employee rate established by the department
 17 of administrative services. The funds allocated in this
 18 subsection shall not be used as nonfederal share matching
 19 funds.
 20 19. Of the funds appropriated in this section, up to
 21 ~~\$1,691,940~~ \$3,383,880 shall be used for administration of the
 22 state family planning services program as enacted in this 2017
 23 Act, and of this amount the department may use ~~to up~~ to up ~~\$100,000~~
 24 up to \$200,000 for administrative expenses.
 25 Sec. 20. 2017 Iowa Acts, chapter 174, section 51, is amended
 26 by adding the following new subsections:
 27 NEW SUBSECTION. 22. Of the funds appropriated in this
 28 section, \$195,000 shall be used by the department of human
 29 services through a request for proposals process to establish
 30 a partnership between the university of Iowa hospitals
 31 and clinics and a durable medical equipment provider and
 32 manufacturer to provide new, refurbished, or repaired durable
 33 medical equipment to Medicaid members in the state. Such
 34 durable medical equipment provider and manufacturer shall be
 35 authorized as a Medicaid provider in the state on or after

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1 April 1, 2018, and shall have the capability to provide
2 assessments for customized wheelchairs, manufacture bathing aid
3 equipment and mobility bathing aids, offer in-home care, and
4 sell durable medical equipment at cost in Iowa and online.
5 NEW SUBSECTION. 23. The department of human services shall
6 expand Medicaid coverage to provide care for young adults with
7 complex medical conditions in a special population nursing
8 facility as specified by rule of the department pursuant to
9 this subsection. The department shall adopt rules pursuant to
10 chapter 17A to expand the criteria for a special population
11 nursing facility under the Medicaid program to include a
12 nursing facility that serves residents, 100 percent of whom are
13 aged 30 and under and require the skilled level of care, and to
14 include a nursing facility that serves residents, 100 percent
15 of whom require care from a facility licensed by the department
16 of inspections and appeals as an intermediate care facility
17 for persons with medical complexity as defined by rule of the
18 department.
19 NEW SUBSECTION. 24. Consistent with the informational
20 bulletin published May 9, 2017, by the centers for Medicare and
21 Medicaid services of the United States department of health and
22 human services, in implementing the regulation that finalized
23 criteria for home and community-based settings appropriate for
24 provision of home and community-based services, the department
25 of human services shall continue progress with the statewide
26 transition plan to be approved by March 17, 2019, but shall
27 extend the transition period to demonstrate compliance with
28 the home and community-based settings criteria until March 17,
29 2022, for those settings to which a transition period applies.
30 NEW SUBSECTION. 25. The department of human services shall
31 utilize \$3,000,000 of the funds appropriated under this section
32 to adjust current supported community living provider daily
33 rate cells under the tiered rate reimbursement methodology
34 effective with dates of service beginning July 1, 2018. The
35 department shall work with the Medicaid program actuary to

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1 evaluate the current tiered rates and the tiered rates phase-in
2 plan to determine the necessary apportionment of such funds.
3 In addition, the department, working with the Medicaid program
4 actuary, shall review the current tiered rates and the tiered
5 rates phase-in plan and shall propose recommendations for any
6 changes. The department shall convene the tiered rate provider
7 workgroup initially convened in the fiscal year beginning July
8 1, 2016, to review the actuarial findings and recommendations.
9 The tiered rates may be adjusted based upon the actuarial
10 findings and recommendations if such adjustments are budget
11 neutral. A report of the actuarial findings, recommendations,
12 and comments provided by the tiered rate provider workgroup

13 shall be submitted to the governor and the general assembly by
 14 December 15, 2018. If additional funding is appropriated to
 15 implement the recommendations, the additional funding shall be
 16 incorporated into the managed care organization capitation rate
 17 setting process for the fiscal year beginning July 1, 2019.
 18 NEW SUBSECTION. 26. The department of human services shall
 19 review all current Medicaid fee schedules and shall submit a
 20 report to the governor and the general assembly by January 15,
 21 2019, regarding how the current rates compare to the equivalent
 22 Medicare fee schedules or other appropriate reimbursement
 23 methodologies for specific services and including a plan for
 24 phased-in implementation of any changes.
 25 NEW SUBSECTION. 27. Of the funds appropriated in this
 26 section, \$1,545,530 shall be used and may be transferred to
 27 other appropriations in this division of this Act as necessary
 28 to administer the provisions in the division of this Act
 29 relating to Medicaid program administration.
 30 NEW SUBSECTION. 28. Of the funds appropriated in this
 31 section, \$876,015 shall be used and may be transferred to other
 32 appropriations in this division of this Act as necessary to
 33 administer the provisions of 2018 Iowa Acts, House File 2456,
 34 as enacted.
 35 Sec. 21. 2017 Iowa Acts, chapter 174, section 52, is amended

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1 to read as follows:
 2 SEC. 52.MEDICAL CONTRACTS. There is appropriated from the
 3 general fund of the state to the department of human services
 4 for the fiscal year beginning July 1, 2018, and ending June 30,
 5 2019, the following amount, or so much thereof as is necessary,
 6 to be used for the purpose designated:
 7 For medical contracts:
 8 \$ 8,813,232
 9 16,603,198
 10 1. The department of inspections and appeals shall
 11 provide all state matching funds for survey and certification
 12 activities performed by the department of inspections
 13 and appeals. The department of human services is solely
 14 responsible for distributing the federal matching funds for
 15 such activities.
 16 2. Of the funds appropriated in this section, ~~\$25,000~~
 17 \$50,000 shall be used for continuation of home and
 18 community-based services waiver quality assurance programs,
 19 including the review and streamlining of processes and policies
 20 related to oversight and quality management to meet state and
 21 federal requirements.
 22 3. Of the amount appropriated in this section, up to
 23 ~~\$100,000~~ \$200,000 may be transferred to the appropriation
 24 for general administration in this division of this Act to
 25 be used for additional full-time equivalent positions in the
 26 development of key health initiatives such as cost containment,

27 development and oversight of managed care programs, and
 28 development of health strategies targeted toward improved
 29 quality and reduced costs in the Medicaid program.
 30 4. Of the funds appropriated in this section, \$500,000
 31 \$1,000,000 shall be used for planning and development,
 32 in cooperation with the department of public health, of a
 33 phased-in program to provide a dental home for children.
 34 5. Of the funds appropriated in this section, \$475,000
 35 \$573,000 shall be credited to the autism support program fund

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1 created in section 225D.2 to be used for the autism support
 2 program created in chapter 225D, with the exception of the
 3 following amounts of this allocation which shall be used as
 4 follows:
 5 a. ~~Of the funds allocated in this subsection, \$125,000~~
 6 ~~shall be deposited in the board-certified behavior analyst and~~
 7 ~~board-certified assistant behavior analyst grants program fund~~
 8 ~~created in section 135.181, to be used for the purposes of the~~
 9 ~~fund.~~
 10 b. Of the funds allocated in this subsection, \$12,500
 11 \$25,000 shall be used for the public purpose of continuation
 12 of a grant to a nonprofit provider of child welfare services
 13 provider headquartered that has been in existence for more than
 14 115 years, is located in a county with a population between
 15 205,000 200,000 and 215,000 in 220,000 according to the latest
 16 certified federal census that provides multiple services
 17 including but not limited to, is licensed as a psychiatric
 18 medical institution for children, shelter, residential
 19 treatment, after school programs, and provides school-based
 20 programming, and an Asperger's syndrome program, to be used for
 21 support services for children with autism spectrum disorder and
 22 their families.
 23 c. ~~Of the funds allocated in this subsection, \$12,500~~
 24 ~~shall be used for the public purpose of continuing a grant to~~
 25 ~~a hospital-based provider headquartered in a county with a~~
 26 ~~population between 90,000 and 95,000 in the latest certified~~
 27 ~~federal census that provides multiple services including~~
 28 ~~but not limited to diagnostic, therapeutic, and behavioral~~
 29 ~~services to individuals with autism spectrum disorder across~~
 30 ~~one's lifespan. The grant recipient shall utilize the funds~~
 31 ~~to continue the pilot project to determine the necessary~~
 32 ~~support services for children with autism spectrum disorder and~~
 33 ~~their families to be included in the children's disabilities~~
 34 ~~services system. The grant recipient shall submit findings and~~
 35 ~~recommendations based upon the results of the pilot project~~

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1 to the individuals specified in this division of this Act for
 2 submission of reports by December 31, 2018.

3 Sec. 22. 2017 Iowa Acts, chapter 174, section 53, unnumbered
4 paragraph 2, is amended to read as follows:

5 For the state supplementary assistance program:
6 \$ ~~5,186,329~~
7 10,250,873

8 Sec. 23. 2017 Iowa Acts, chapter 174, section 53, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
11 appropriated in this section that remain unencumbered or
12 unobligated at the close of the fiscal year shall not revert
13 but shall remain available for expenditure for the purposes
14 designated until the close of the succeeding fiscal year.

15 Sec. 24. 2017 Iowa Acts, chapter 174, section 54, is amended
16 to read as follows:

17 SEC. 54.CHILDREN'S HEALTH INSURANCE PROGRAM.

18 1. There is appropriated from the general fund of the
19 state to the department of human services for the fiscal year
20 beginning July 1, 2018, and ending June 30, 2019, the following
21 amount, or so much thereof as is necessary, to be used for the
22 purpose designated:

23 For maintenance of the healthy and well kids in Iowa (hawk-i)
24 program pursuant to chapter 514I, including supplemental dental
25 services, for receipt of federal financial participation under
26 Tit. XXI of the federal Social Security Act, which creates the
27 children's health insurance program:

28 \$ ~~4,259,226~~
29 7,064,057

30 2. Of the funds appropriated in this section, ~~\$21,400~~
31 \$42,800 is allocated for continuation of the contract for
32 outreach with the department of public health.

33 Sec. 25. 2017 Iowa Acts, chapter 174, section 55, unnumbered
34 paragraph 2, is amended to read as follows:

35 For child care programs:

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1 \$ ~~19,671,808~~
2 40,816,931

3 Sec. 26. 2017 Iowa Acts, chapter 174, section 55,
4 subsections 1 and 4, are amended to read as follows:

5 1. Of the funds appropriated in this section, ~~\$16,746,808~~
6 \$34,966,931 shall be used for state child care assistance in
7 accordance with section 237A.13.

8 4. Of the funds appropriated in this section, ~~\$2,925,000~~
9 \$5,850,000 shall be credited to the early childhood programs
10 grants account in the early childhood Iowa fund created
11 in section 256I.11. The moneys shall be distributed for
12 funding of community-based early childhood programs targeted
13 to children from birth through five years of age developed
14 by early childhood Iowa areas in accordance with approved
15 community plans as provided in section 256I.8.

16 Sec. 27. 2017 Iowa Acts, chapter 174, section 56, is amended

17 to read as follows:

18 SEC. 56.JUVENILE INSTITUTION. There is appropriated
 19 from the general fund of the state to the department of human
 20 services for the fiscal year beginning July 1, 2018, and ending
 21 June 30, 2019, the following amounts, or so much thereof as is
 22 necessary, to be used for the purposes designated:

23 1. For operation of the state training school at Eldora and
 24 for salaries, support, maintenance, and miscellaneous purposes,
 25 and for not more than the following full-time equivalent
 26 positions:

27	\$ 5,675,221
28	<u>12,762,443</u>
29	FTEs 189.00

30 Of the funds appropriated in this subsection, ~~\$45,575~~
 31 \$91,150 shall be used for distribution to licensed classroom
 32 teachers at this and other institutions under the control of
 33 the department of human services based upon the average student
 34 yearly enrollment at each institution as determined by the
 35 department.

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1 2. A portion of the moneys appropriated in this section
 2 shall be used by the state training school at Eldora for
 3 grants for adolescent pregnancy prevention activities at the
 4 institution in the fiscal year beginning July 1, 2018.

5 3. Of the funds appropriated in this subsection, \$212,000
 6 shall be used by the state training school at Eldora for a
 7 substance use disorder treatment program at the institution in
 8 the fiscal year beginning July 1, 2018.

9 Sec. 28. 2017 Iowa Acts, chapter 174, section 57, is amended
 10 to read as follows:

11 SEC. 57.CHILD AND FAMILY SERVICES.

12 1. There is appropriated from the general fund of the
 13 state to the department of human services for the fiscal year
 14 beginning July 1, 2018, and ending June 30, 2019, the following
 15 amount, or so much thereof as is necessary, to be used for the
 16 purpose designated:

17 For child and family services:

18	\$ 43,639,687
19	<u>84,939,774</u>

20 2. The department may transfer funds appropriated in this
 21 section as necessary to pay the nonfederal costs of services
 22 reimbursed under the medical assistance program, state child
 23 care assistance program, or the family investment program which
 24 are provided to children who would otherwise receive services
 25 paid under the appropriation in this section. The department
 26 may transfer funds appropriated in this section to the
 27 appropriations made in this division of this Act for general
 28 administration and for field operations for resources necessary
 29 to implement and operate the services funded in this section.

30 3.a. Of the funds appropriated in this section, up

31 to ~~\$17,868,324~~ \$34,536,648 is allocated as the statewide
 32 expenditure target under section 232.143 for group foster care
 33 maintenance and services. If the department projects that such
 34 expenditures for the fiscal year will be less than the target
 35 amount allocated in this paragraph "a", the department may

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1 reallocate the excess to provide additional funding for shelter
 2 care or the child welfare emergency services addressed with the
 3 allocation for shelter care.
 4 b. If at any time after September 30, 2018, annualization
 5 of a service area's current expenditures indicates a service
 6 area is at risk of exceeding its group foster care expenditure
 7 target under section 232.143 by more than 5 percent, the
 8 department and juvenile court services shall examine all
 9 group foster care placements in that service area in order to
 10 identify those which might be appropriate for termination.
 11 In addition, any aftercare services believed to be needed
 12 for the children whose placements may be terminated shall be
 13 identified. The department and juvenile court services shall
 14 initiate action to set dispositional review hearings for the
 15 placements identified. In such a dispositional review hearing,
 16 the juvenile court shall determine whether needed aftercare
 17 services are available and whether termination of the placement
 18 is in the best interest of the child and the community.
 19 4. In accordance with the provisions of section 232.188,
 20 the department shall continue the child welfare and juvenile
 21 justice funding initiative during fiscal year 2018-2019. Of
 22 the funds appropriated in this section, ~~\$858,876~~ \$1,717,753
 23 is allocated specifically for expenditure for fiscal year
 24 2018-2019 through the decategorization services funding pools
 25 and governance boards established pursuant to section 232.188.
 26 5. A portion of the funds appropriated in this section
 27 may be used for emergency family assistance to provide other
 28 resources required for a family participating in a family
 29 preservation or reunification project or successor project to
 30 stay together or to be reunified.
 31 6. Notwithstanding section 234.35 or any other provision
 32 of law to the contrary, state funding for shelter care and
 33 the child welfare emergency services contracting implemented
 34 to provide for or prevent the need for shelter care shall be
 35 limited to ~~\$4,048,079~~ \$8,096,158.

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1 7. Federal funds received by the state during the fiscal
 2 year beginning July 1, 2018, as the result of the expenditure
 3 of state funds appropriated during a previous state fiscal
 4 year for a service or activity funded under this section are
 5 appropriated to the department to be used as additional funding
 6 for services and purposes provided for under this section.

7 Notwithstanding section 8.33, moneys received in accordance
8 with this subsection that remain unencumbered or unobligated at
9 the close of the fiscal year shall not revert to any fund but
10 shall remain available for the purposes designated until the
11 close of the succeeding fiscal year.

12 8.a. Of the funds appropriated in this section, up to
13 ~~\$1,645,000~~ \$3,290,000 is allocated for the payment of the
14 expenses of court-ordered services provided to juveniles
15 who are under the supervision of juvenile court services,
16 which expenses are a charge upon the state pursuant to
17 section 232.141, subsection 4. Of the amount allocated in
18 this paragraph "a", up to ~~\$778,143~~ \$1,556,287 shall be made
19 available to provide school-based supervision of children
20 adjudicated under chapter 232, of which not more than ~~\$7,500~~
21 \$15,000 may be used for the purpose of training. A portion of
22 the cost of each school-based liaison officer shall be paid by
23 the school district or other funding source as approved by the
24 chief juvenile court officer.

25 b. Of the funds appropriated in this section, up to ~~\$374,492~~
26 \$748,985 is allocated for the payment of the expenses of
27 court-ordered services provided to children who are under the
28 supervision of the department, which expenses are a charge upon
29 the state pursuant to section 232.141, subsection 4.

30 c. Notwithstanding section 232.141 or any other provision
31 of law to the contrary, the amounts allocated in this
32 subsection shall be distributed to the judicial districts
33 as determined by the state court administrator and to the
34 department's service areas as determined by the administrator
35 of the department of human services' division of child and

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1 family services. The state court administrator and the
2 division administrator shall make the determination of the
3 distribution amounts on or before June 15, 2018.

4 d. Notwithstanding chapter 232 or any other provision of
5 law to the contrary, a district or juvenile court shall not
6 order any service which is a charge upon the state pursuant
7 to section 232.141 if there are insufficient court-ordered
8 services funds available in the district court or departmental
9 service area distribution amounts to pay for the service. The
10 chief juvenile court officer and the departmental service area
11 manager shall encourage use of the funds allocated in this
12 subsection such that there are sufficient funds to pay for
13 all court-related services during the entire year. The chief
14 juvenile court officers and departmental service area managers
15 shall attempt to anticipate potential surpluses and shortfalls
16 in the distribution amounts and shall cooperatively request the
17 state court administrator or division administrator to transfer
18 funds between the judicial districts' or departmental service
19 areas' distribution amounts as prudent.

20 e. Notwithstanding any provision of law to the contrary,

21 a district or juvenile court shall not order a county to pay
 22 for any service provided to a juvenile pursuant to an order
 23 entered under chapter 232 which is a charge upon the state
 24 under section 232.141, subsection 4.

25 f. Of the funds allocated in this subsection, not more
 26 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for
 27 administration of the requirements under this subsection.

28 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
 29 shall be used by the department of human services to support
 30 the interstate commission for juveniles in accordance with
 31 the interstate compact for juveniles as provided in section
 32 232.173.

33 9. Of the funds appropriated in this section, ~~\$6,126,613~~
 34 \$12,253,227 is allocated for juvenile delinquent graduated
 35 sanctions services. Any state funds saved as a result of

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1 efforts by juvenile court services to earn a federal Tit. IV-E
 2 match for juvenile court services administration may be used
 3 for the juvenile delinquent graduated sanctions services.

4 10. Of the funds appropriated in this section, ~~\$829,142~~
 5 \$1,658,285 is transferred to the department of public health
 6 to be used for the child protection center grant program for
 7 child protection centers located in Iowa in accordance with
 8 section 135.118. The grant amounts under the program shall be
 9 equalized so that each center receives a uniform base amount
 10 of ~~\$122,500~~ \$245,000, so that ~~\$25,000~~ \$50,000 is awarded to
 11 establish a satellite child protection center in a city in
 12 north central Iowa that is the county seat of a county with
 13 a population between 44,000 and 45,000 according to the 2010
 14 federal decennial census, and so that the remaining funds are
 15 awarded through a funding formula based upon the volume of
 16 children served.

17 11. If the department receives federal approval to
 18 implement a waiver under Tit. IV-E of the federal Social
 19 Security Act to enable providers to serve children who remain
 20 in the children's families and communities, for purposes of
 21 eligibility under the medical assistance program through 25
 22 years of age, children who participate in the waiver shall be
 23 considered to be placed in foster care.

24 12. Of the funds appropriated in this section, ~~\$2,012,583~~
 25 \$4,025,167 is allocated for the preparation for adult living
 26 program pursuant to section 234.46.

27 13. Of the funds appropriated in this section, ~~\$113,668~~
 28 \$227,337 shall be used for the public purpose of continuing
 29 a grant to a nonprofit human services organization providing
 30 services to individuals and families in multiple locations in
 31 southwest Iowa and Nebraska for support of a project providing
 32 immediate, sensitive support and forensic interviews, medical
 33 exams, needs assessments, and referrals for victims of child
 34 abuse and their nonoffending family members.

35 14. Of the funds appropriated in this section, ~~\$150,310~~

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1 ~~\$300,620~~ is allocated for the foster care youth council
2 approach of providing a support network to children placed in
3 foster care.

4 15. Of the funds appropriated in this section, ~~\$101,000~~
5 ~~\$202,000~~ is allocated for use pursuant to section 235A.1 for
6 continuation of the initiative to address child sexual abuse
7 implemented pursuant to 2007 Iowa Acts, chapter 218, section
8 18, subsection 21.

9 16. Of the funds appropriated in this section, ~~\$315,120~~
10 ~~\$630,240~~ is allocated for the community partnership for child
11 protection sites.

12 17. Of the funds appropriated in this section, ~~\$185,625~~
13 ~~\$371,250~~ is allocated for the department's minority youth and
14 family projects under the redesign of the child welfare system.

15 18. Of the funds appropriated in this section, ~~\$568,297~~
16 ~~\$851,595~~ is allocated for funding of the community circle of
17 care collaboration for children and youth in northeast Iowa.

18 19. Of the funds appropriated in this section, at least
19 ~~\$73,579~~ ~~\$147,158~~ shall be used for the continuation of the
20 child welfare provider training academy, a collaboration
21 between the coalition for family and children's services in
22 Iowa and the department.

23 20. Of the funds appropriated in this section, ~~\$105,936~~
24 ~~\$211,872~~ shall be used for continuation of the central Iowa
25 system of care program grant through June 30, 2019.

26 21. Of the funds appropriated in this section, ~~\$117,500~~
27 ~~\$235,000~~ shall be used for the public purpose of the
28 continuation and expansion of a system of care program grant
29 implemented in Cerro Gordo and Linn counties to utilize a
30 comprehensive and long-term approach for helping children
31 and families by addressing the key areas in a child's life
32 of childhood basic needs, education and work, family, and
33 community.

34 22. Of the funds appropriated in this section, at least
35 ~~\$12,500~~ ~~\$25,000~~ shall be used to continue and to expand the

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1 foster care respite pilot program in which postsecondary
2 students in social work and other human services-related
3 programs receive experience by assisting family foster care
4 providers with respite and other support.

5 23. Of the funds appropriated in this section, ~~\$55,000~~
6 ~~\$110,000~~ shall be used for the public purpose of funding
7 community-based services and other supports with a system of
8 care approach for children with a serious emotional disturbance
9 and their families through a nonprofit provider of child
10 welfare services that has been in existence for more than

11 115 years, is located in a county with a population of more
12 than 200,000 but less than 220,000 according to the latest
13 certified federal census, is licensed as a psychiatric medical
14 institution for children, and was a system of care grantee
15 prior to July 1, 2018.

16 Sec. 29. 2017 Iowa Acts, chapter 174, section 58, subsection
17 1, paragraph a, is amended to read as follows:

18 a. For adoption subsidy payments and services:
19 \$ ~~20,388,955~~
20 40,445,137

21 Sec. 30. 2017 Iowa Acts, chapter 174, section 60, is amended
22 to read as follows:

23 SEC. 60.FAMILY SUPPORT SUBSIDY PROGRAM.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2018, and ending June 30, 2019, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purpose designated:

29 For the family support subsidy program subject to the
30 enrollment restrictions in section 225C.37, subsection 3:
31 \$ ~~534,641~~
32 949,282

33 2. At least ~~\$393,750~~ \$787,500 of the moneys appropriated in
34 this section is transferred to the department of public health
35 for the family support center component of the comprehensive

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1 family support program under chapter 225C, subchapter V.
2 3. If at any time during the fiscal year, the amount of
3 funding available for the family support subsidy program
4 is reduced from the amount initially used to establish the
5 figure for the number of family members for whom a subsidy
6 is to be provided at any one time during the fiscal year,
7 notwithstanding section 225C.38, subsection 2, the department
8 shall revise the figure as necessary to conform to the amount
9 of funding available.

10 Sec. 31. 2017 Iowa Acts, chapter 174, section 61, is amended
11 to read as follows:

12 SEC. 61.CONNER DECREE. There is appropriated from the
13 general fund of the state to the department of human services
14 for the fiscal year beginning July 1, 2018, and ending June 30,
15 2019, the following amount, or so much thereof as is necessary,
16 to be used for the purpose designated:

17 For building community capacity through the coordination
18 and provision of training opportunities in accordance with the
19 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
20 Iowa, July 14, 1994):
21 \$ ~~16,816~~
22 33,632

23 Sec. 32. 2017 Iowa Acts, chapter 174, section 62, subsection
24 1, is amended to read as follows:

25 1. There is appropriated from the general fund of the
 26 state to the department of human services for the fiscal year
 27 beginning July 1, 2018, and ending June 30, 2019, the following
 28 amounts, or so much thereof as is necessary, to be used for the
 29 purposes designated:

30 a. For operation of the state mental health institute at
 31 Cherokee as required by chapters 218 and 226 for salaries,
 32 support, maintenance, and miscellaneous purposes, and for not
 33 more than the following full-time equivalent positions:

34	\$ 6,935,127
35	<u>13,870,254</u>

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1	FTEs	162.00
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2 b. For operation of the state mental health institute at
 3 Independence as required by chapters 218 and 226 for salaries,
 4 support, maintenance, and miscellaneous purposes, and for not
 5 more than the following full-time equivalent positions:

6	\$ 8,756,810	
7	<u>17,513,621</u>	
8	FTEs	204.00

9 Sec. 33. 2017 Iowa Acts, chapter 174, section 63, subsection
10 1, is amended to read as follows:

11 1. There is appropriated from the general fund of the
 12 state to the department of human services for the fiscal year
 13 beginning July 1, 2018, and ending June 30, 2019, the following
 14 amounts, or so much thereof as is necessary, to be used for the
 15 purposes designated:

16 a. For the state resource center at Glenwood for salaries,
 17 support, maintenance, and miscellaneous purposes:

18	\$ 8,943,890
19	<u>16,858,523</u>

20 b. For the state resource center at Woodward for salaries,
 21 support, maintenance, and miscellaneous purposes:

22	\$ 6,038,517
23	<u>11,386,679</u>

24 Sec. 34. 2017 Iowa Acts, chapter 174, section 64, subsection
25 1, is amended to read as follows:

26 1. There is appropriated from the general fund of the
 27 state to the department of human services for the fiscal year
 28 beginning July 1, 2018, and ending June 30, 2019, the following
 29 amount, or so much thereof as is necessary, to be used for the
 30 purpose designated:

31 For costs associated with the commitment and treatment of
 32 sexually violent predators in the unit located at the state
 33 mental health institute at Cherokee, including costs of legal
 34 services and other associated costs, including salaries,
 35 support, maintenance, and miscellaneous purposes, and for not

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1 more than the following full-time equivalent positions:
 2 \$ 4,732,373
 3 10,864,747
 4 FTEs 112.00
 5 132.00

6 Sec. 35. 2017 Iowa Acts, chapter 174, section 65, is amended
7 to read as follows:

8 SEC. 65.FIELD OPERATIONS. There is appropriated from the
9 general fund of the state to the department of human services
10 for the fiscal year beginning July 1, 2018, and ending June 30,
11 2019, the following amount, or so much thereof as is necessary,
12 to be used for the purposes designated:

13 For field operations, including salaries, support,
 14 maintenance, and miscellaneous purposes, and for not more than
 15 the following full-time equivalent positions:
 16 \$ 24,242,217
 17 49,074,517
 18 FTEs 1,583.00
 19 1,539.00

20 Priority in filling full-time equivalent positions shall be
21 given to those positions related to child protection services
22 and eligibility determination for low-income families.

23 Sec. 36. 2017 Iowa Acts, chapter 174, section 66, is amended
24 to read as follows:

25 SEC. 66.GENERAL ADMINISTRATION. There is appropriated
26 from the general fund of the state to the department of human
27 services for the fiscal year beginning July 1, 2018, and ending
28 June 30, 2019, the following amount, or so much thereof as is
29 necessary, to be used for the purpose designated:

30 For general administration, including salaries, support,
 31 maintenance, and miscellaneous purposes, and for not more than
 32 the following full-time equivalent positions:
 33 \$ 7,016,520
 34 13,833,040
 35 FTEs 294.00

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1 2. Of the funds appropriated in this section, \$75,000
 2 \$150,000 shall be used to continue the contract for the
 3 provision of a program to provide technical assistance,
 4 support, and consultation to providers of habilitation services
 5 and home and community-based services waiver services for
 6 adults with disabilities under the medical assistance program.

7 3. Of the funds appropriated in this section, ~~\$25,000~~
 8 \$50,000 is transferred to the Iowa finance authority to be
 9 used for administrative support of the council on homelessness
 10 established in section 16.2D and for the council to fulfill its
 11 duties in addressing and reducing homelessness in the state.

12 4. Of the funds appropriated in this section, \$100,000

13 \$200,000 shall be transferred to and deposited in the
14 administrative fund of the Iowa ABLE savings plan trust
15 created in section 12I.4, to be used for implementation and
16 administration activities of the Iowa ABLE savings plan trust.

17 5. Of the funds appropriated in this section, \$100,000
18 \$200,000 is transferred to the economic development authority
19 for the Iowa commission on volunteer services to continue
20 to be used for RefugeeRISE AmeriCorps program established
21 under section 15H.8 for member recruitment and training to
22 improve the economic well-being and health of economically
23 disadvantaged refugees in local communities across Iowa. Funds
24 transferred may be used to supplement federal funds under
25 federal regulations.

26 7. Of the funds appropriated in this section, \$300,000 shall
27 be used to contract for children’s well-being collaboratives
28 grants for the development and implementation of children’s
29 well-being collaboratives to establish and coordinate
30 prevention and early intervention services to promote improved
31 mental health and well-being for children and families, as
32 enacted in 2017 Iowa Acts, chapter 174, section 88.

33 8. The department of human services shall submit the
34 strategic plan to create and implement a children’s mental
35 health system submitted to the governor by the children’s

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1 system state board established by Executive Order Number Two
2 issued April 23, 2018, to the general assembly by November 15,
3 2018.

4 Sec. 37. 2017 Iowa Acts, chapter 174, section 67, is amended
5 to read as follows:

6 SEC. 67.DEPARTMENT-WIDE DUTIES. There is appropriated
7 from the general fund of the state to the department of human
8 services for the fiscal year beginning July 1, 2018, and ending
9 June 30, 2019, the following amount, or so much thereof as is
10 necessary, to be used for the purposes designated:

11 For salaries, support, maintenance, and miscellaneous
12 purposes at facilities under the purview of the department of
13 human services:

14 \$ 1,439,637
15 2,879,274

16 Sec. 38. 2017 Iowa Acts, chapter 174, section 68, is amended
17 to read as follows:

18 SEC. 68.VOLUNTEERS. There is appropriated from the general
19 fund of the state to the department of human services for the
20 fiscal year beginning July 1, 2018, and ending June 30, 2019,
21 the following amount, or so much thereof as is necessary, to be
22 used for the purpose designated:

23 For development and coordination of volunteer services:
24 \$ 42,343

25

84,686

26 Sec. 39. 2017 Iowa Acts, chapter 174, section 70, subsection
27 1, paragraph f, subparagraph (1), is amended to read as
28 follows:

29 (1) For the fiscal year beginning July 1, 2018,
30 reimbursement rates for home health agencies shall continue to
31 be based on the Medicare low utilization payment adjustment
32 (LUPA) methodology with state geographic wage adjustments and
33 shall be adjusted to increase the rates to the extent possible
34 within the \$1,000,000 of state funding appropriated for this
35 purpose. The department shall continue to update the rates

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1 every two years to reflect the most recent Medicare LUPA rates
2 to the extent possible within the state funding appropriated
3 for this purpose.

4 Sec. 40. 2017 Iowa Acts, chapter 174, section 70, subsection
5 1, paragraphs j and k, are amended to read as follows:

6 j. For the fiscal year beginning July 1, 2018, unless
7 otherwise specified in this Act, all noninstitutional medical
8 assistance provider reimbursement rates shall remain at the
9 rates in effect on June 30, 2018, except for area education
10 agencies, local education agencies, infant and toddler
11 services providers, home and community-based services providers
12 including consumer-directed attendant care providers under a
13 section 1915(c) or 1915(i) waiver, targeted case management
14 providers, and those providers whose rates are required to be
15 determined pursuant to section 249A.20, or to meet federal
16 mental health parity requirements.

17 k. Notwithstanding any provision to the contrary, for the
18 fiscal year beginning July 1, 2018, the reimbursement rate
19 for anesthesiologists shall be adjusted to implement the cost
20 containment strategies authorized for the medical assistance
21 program in this 2017 Act remain at the rate in effect on June
22 30, 2018, and updated on January 1, 2019, to align with the
23 most current Iowa Medicare anesthesia base rate.

24 Sec. 41. 2017 Iowa Acts, chapter 174, section 70, subsection
25 7, is amended to read as follows:

26 7.a. For the purposes of this subsection, “combined
27 reimbursement rate” means the combined service and maintenance
28 reimbursement rate for a service level under the department’s
29 reimbursement methodology. Effective July 1, 2018, the
30 combined reimbursement rate for a group foster care service
31 level shall be the amount designated in this subsection.
32 However, if a group foster care provider’s reimbursement rate
33 for a service level as of June 30, 2018, is more than the rate
34 designated in this subsection, the provider’s reimbursement
35 shall remain at the higher rate.

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1 ~~b. Unless a group foster care provider is subject to the~~
 2 ~~exception provided in paragraph “a”, effective July 1, 2018,~~
 3 ~~the combined reimbursement rates for the service levels under~~
 4 ~~the department’s reimbursement methodology shall be as follows:~~

5 ~~(1) For service level, community – D1, the daily rate shall~~
 6 ~~be at least \$84.17.~~

7 ~~(2) For service level, comprehensive – D2, the daily rate~~
 8 ~~shall be at least \$119.09.~~

9 ~~(3) For service level, enhanced – D3, the daily rate shall~~
 10 ~~be at least \$131.09 established by contract.~~

11 Sec. 42. 2017 Iowa Acts, chapter 174, section 70, subsection
 12 11, is amended to read as follows:

13 11.a. For the fiscal year beginning July 1, 2018,

14 Effective July 1, 2018, the child care provider reimbursement
 15 rates shall remain at the rates in effect on June 30, 2018.

16 Effective January 1, 2019, for child care providers reimbursed
 17 under the state child care assistance program, the department
 18 shall set utilize \$3,000,000 of the amount appropriated for
 19 child care assistance under this division to increase provider
 20 reimbursement rates based on the rate reimbursement survey
 21 completed in December 2004 2014. Effective July 1, 2018,

22 the child care provider reimbursement rates shall remain at
 23 the rates in effect on June 30, 2018. The department shall
 24 increase the lowest rate that is furthest from the fiftieth
 25 percentile to a rate consistent with the relative percentage of
 26 the second lowest rate as compared to the fiftieth percentile.

27 As funds remain available, the department shall increase
 28 the subsequent lowest rates in a similar manner until the
 29 \$3,000,000 is projected to be fully expended in the fiscal
 30 year. The department shall set rates in a manner so as to
 31 provide incentives for a nonregistered provider to become
 32 registered by applying the increase only to registered and
 33 licensed providers.

34 b. Effective January 1, 2019, for infant and toddler
 35 child care providers reimbursed under the state child

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1 care assistance program, the department shall set provider
 2 reimbursement rates at the seventy-fifth percentile of the rate
 3 reimbursement survey completed in December 2014, within the
 4 expected increase for the federal child care and development
 5 block grant expenditure requirement for infant and toddler
 6 quality improvement, subject to quality rating system criteria
 7 developed pursuant to section 237A.30. The department shall
 8 set rates in a manner so as to provide incentives for a
 9 nonregistered provider to become registered by applying the
 10 increase only to registered and licensed providers.

11 Sec. 43. 2017 Iowa Acts, chapter 174, section 70, subsection
 12 13, is amended by striking the subsection.

13 Sec. 44.REPEAL. 2017 Iowa Acts, chapter 174, section 69,
14 is repealed.

15 DIVISION VI

16 HEALTH CARE ACCOUNTS AND FUNDS — FY 2018-2019

17 Sec. 45. 2017 Iowa Acts, chapter 174, section 75, is amended
18 to read as follows:

19 SEC. 75.PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
20 appropriated from the pharmaceutical settlement account created
21 in section 249A.33 to the department of human services for the
22 fiscal year beginning July 1, 2018, and ending June 30, 2019,
23 the following amount, or so much thereof as is necessary, to be
24 used for the purpose designated:

25 Notwithstanding any provision of law to the contrary, to
26 supplement the appropriations made in this Act for medical
27 contracts under the medical assistance program for the fiscal
28 year beginning July 1, 2018, and ending June 30, 2019:

29 \$ 400,000
30 1,446,266

31 Sec. 46. 2017 Iowa Acts, chapter 174, section 76, is amended
32 to read as follows:

33 SEC. 76.QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
34 SERVICES. Notwithstanding any provision to the contrary and
35 subject to the availability of funds, there is appropriated

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1 from the quality assurance trust fund created in section
2 249L.4 to the department of human services for the fiscal year
3 beginning July 1, 2018, and ending June 30, 2019, the following
4 amounts, or so much thereof as is necessary, for the purposes
5 designated:

6 To supplement the appropriation made in this Act from the
7 general fund of the state to the department of human services
8 for medical assistance for the same fiscal year:

9 \$ 18,352,604
10 36,705,208

11 Sec. 47. 2017 Iowa Acts, chapter 174, section 77, is amended
12 to read as follows:

13 SEC. 77.HOSPITAL HEALTH CARE ACCESS TRUST FUND —
14 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
15 the contrary and subject to the availability of funds, there is
16 appropriated from the hospital health care access trust fund
17 created in section 249M.4 to the department of human services
18 for the fiscal year beginning July 1, 2018, and ending June
19 30, 2019, the following amounts, or so much thereof as is
20 necessary, for the purposes designated:

21 To supplement the appropriation made in this Act from the
22 general fund of the state to the department of human services
23 for medical assistance for the same fiscal year:

24 \$ 16,960,277
25 33,920,554

26 DIVISION VII

27 PRIOR YEAR APPROPRIATIONS AND OTHER PROVISIONS
28 FEDERAL FUNDING

29 Sec. 48. 2017 Iowa Acts, chapter 165, section 13, subsection
30 3, paragraphs b and e, are amended to read as follows:

31 b. Child and family services:

32 (1) FFY 2017-2018:

33 \$ ~~7,672,390~~

34 8,022,390

35 (2) FFY 2018-2019:

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1 \$ ~~7,672,390~~

2 8,272,390

3 e. For distribution to counties for state case services
4 provided for persons with mental illness, intellectual
5 disability, or a developmental disability in accordance with
6 section 331.440, Code 2013, or in accordance with a dispute
7 resolution process implemented in accordance with section
8 331.394, subsections 5 or 6:

9 (1) FFY 2017-2018:

10 \$ ~~600,000~~

11 250,000

12 (2) FFY 2018-2019:

13 \$ ~~600,000~~

14 0

15 Moneys appropriated in this lettered paragraph "e"
16 that remain unencumbered or unallocated at the close of a
17 federal fiscal year shall not revert but shall be retained
18 by the department and used to supplement amounts otherwise
19 appropriated for child and family services under paragraph "b".

20 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

21 Sec. 49. 2017 Iowa Acts, chapter 174, section 6, is amended
22 to read as follows:

23 SEC. 6.TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

24 GRANT. There is appropriated from the fund created in section
25 8.41 to the department of human services for the fiscal year
26 beginning July 1, 2017, and ending June 30, 2018, from moneys
27 received under the federal temporary assistance for needy
28 families (TANF) block grant pursuant to the federal Personal
29 Responsibility and Work Opportunity Reconciliation Act of 1996,
30 Pub. L. No. 104-193, and successor legislation, the following
31 amounts, or so much thereof as is necessary, to be used for the
32 purposes designated:

33 1. To be credited to the family investment program account
34 and used for assistance under the family investment program
35 under chapter 239B:

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1 \$ ~~5,112,462~~

2 4,539,006

3 2. To be credited to the family investment program account
4 and used for the job opportunities and basic skills (JOBS)
5 program and implementing family investment agreements in
6 accordance with chapter 239B:

7 \$ 5,575,693
8 5,412,060

9 3. To be used for the family development and
10 self-sufficiency grant program in accordance with section
11 216A.107:

12 \$ 2,898,980
13 2,883,980

14 Notwithstanding section 8.33, moneys appropriated in this
15 subsection that remain unencumbered or unobligated at the close
16 of the fiscal year shall not revert but shall remain available
17 for expenditure for the purposes designated until the close of
18 the succeeding fiscal year. However, unless such moneys are
19 encumbered or obligated on or before September 30, 2018, the
20 moneys shall revert.

21 4. For field operations:
22 \$ 31,296,232

23 5. For general administration:
24 \$ 3,744,000

25 6. For state child care assistance:
26 \$ 47,866,826
27 53,603,561

28 a. Of the funds appropriated in this subsection,
29 ~~\$26,328,097~~ \$26,205,412 is transferred to the child care
30 and development block grant appropriation made by the
31 Eighty-seventh General Assembly, 2017 session, for the federal
32 fiscal year beginning October 1, 2017, and ending September 30,
33 2018. Of this amount, \$200,000 shall be used for provision
34 of educational opportunities to registered child care home
35 providers in order to improve services and programs offered

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1 by this category of providers and to increase the number of
2 providers. The department may contract with institutions
3 of higher education or child care resource and referral
4 centers to provide the educational opportunities. Allowable
5 administrative costs under the contracts shall not exceed 5
6 percent. The application for a grant shall not exceed two
7 pages in length.

8 b. Any funds appropriated in this subsection remaining
9 unallocated shall be used for state child care assistance
10 payments for families who are employed including but not
11 limited to individuals enrolled in the family investment
12 program.

13 7. For child and family services:
14 \$ 32,380,654

15 8. For child abuse prevention grants:
16 \$ 125,000

17 9. For pregnancy prevention grants on the condition that
18 family planning services are funded:

19 \$ 1,930,067
20 1,913,203

21 Pregnancy prevention grants shall be awarded to programs
22 in existence on or before July 1, 2017, if the programs have
23 demonstrated positive outcomes. Grants shall be awarded to
24 pregnancy prevention programs which are developed after July
25 1, 2017, if the programs are based on existing models that
26 have demonstrated positive outcomes. Grants shall comply with
27 the requirements provided in 1997 Iowa Acts, chapter 208,
28 section 14, subsections 1 and 2, including the requirement that
29 grant programs must emphasize sexual abstinence. Priority in
30 the awarding of grants shall be given to programs that serve
31 areas of the state which demonstrate the highest percentage of
32 unplanned pregnancies of females of childbearing age within the
33 geographic area to be served by the grant.

34 10. For technology needs and other resources necessary
35 to meet federal welfare reform reporting, tracking, and case

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1 management requirements:

2 \$ 1,037,186
3 294,155

4 11.a. Notwithstanding any provision to the contrary,
5 including but not limited to requirements in section 8.41 or
6 provisions in 2016 or 2017 Iowa Acts regarding the receipt and
7 appropriation of federal block grants, federal funds from the
8 temporary assistance for needy families block grant received by
9 the state and not otherwise appropriated in this section and
10 remaining available for the fiscal year beginning July 1, 2017,
11 are appropriated to the department of human services to the
12 extent as may be necessary to be used in the following priority
13 order: the family investment program, for state child care
14 assistance program payments for families who are employed, and
15 for the family investment program share of costs to develop and
16 maintain a new, integrated eligibility determination system.
17 The federal funds appropriated in this paragraph "a" shall be
18 expended only after all other funds appropriated in subsection
19 1 for assistance under the family investment program, in
20 subsection 6 for child care assistance, or in subsection 10
21 for technology costs related to the family investment program,
22 as applicable, have been expended. For the purposes of this
23 subsection, the funds appropriated in subsection 6, paragraph
24 "a", for transfer to the child care and development block grant
25 appropriation are considered fully expended when the full
26 amount has been transferred.

27 b. The department shall, on a quarterly basis, advise the
28 legislative services agency and department of management of
29 the amount of funds appropriated in this subsection that was
30 expended in the prior quarter.

31 12. Of the amounts appropriated in this section,
 32 \$12,962,008 for the fiscal year beginning July 1, 2017, is
 33 transferred to the appropriation of the federal social services
 34 block grant made to the department of human services for that
 35 fiscal year.

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1 13. For continuation of the program providing categorical
 2 eligibility for the food assistance program as specified
 3 for the program in the section of this division of this Act
 4 relating to the family investment program account:
 5 \$ 25,000
 6 14,236

7 14. The department may transfer funds allocated in this
 8 section to the appropriations made in this division of this Act
 9 for the same fiscal year for general administration and field
 10 operations for resources necessary to implement and operate the
 11 services referred to in this section and those funded in the
 12 appropriation made in this division of this Act for the same
 13 fiscal year for the family investment program from the general
 14 fund of the state.

15 15. With the exception of moneys allocated under this
 16 section for the family development and self-sufficiency grant
 17 program, to the extent moneys allocated in this section are
 18 deemed by the department not to be necessary to support the
 19 purposes for which they are allocated, such moneys may be
 20 credited used in the same fiscal year for any other purpose for
 21 which funds are allocated in this section or in section 7 of
 22 this division for the family investment program account. If
 23 there are competing needs, priority shall first be given to the
 24 family investment program account as specified under subsection
 25 1 of this section and used for the purposes of assistance
 26 under the family investment program in accordance with chapter
 27 239B in the same fiscal year, followed by state child care
 28 assistance program payments for families who are employed,
 29 followed by other priorities as specified by the department.

30 **MEDICAID TRANSFERS TO SUPPORT REVIEWS AND QUALITY CONTROL**
 31 **ACTIVITIES**

32 Sec. 50. 2017 Iowa Acts, chapter 174, section 12, subsection
 33 8, is amended to read as follows:

34 8. A portion of the funds appropriated in this section
 35 may be transferred to the appropriations in this division of

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1 this Act for general administration, medical contracts, the
 2 children's health insurance program, or field operations to be
 3 used for the state match cost to comply with the payment error
 4 rate measurement (PERM) program for both the medical assistance
 5 and children's health insurance programs as developed by the
 6 centers for Medicare and Medicaid services of the United States

7 department of health and human services to comply with the
8 federal Improper Payments Information Act of 2002, Pub. L.
9 No. 107-300, and to support other reviews and quality control
10 activities to improve the integrity of these programs.

11 STATE SUPPLEMENTARY ASSISTANCE

12 Sec. 51. 2017 Iowa Acts, chapter 174, section 14, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
15 appropriated in this section that remain unencumbered or
16 unobligated at the close of the fiscal year shall not revert
17 but shall remain available for expenditure for the purposes
18 designated until the close of the succeeding fiscal year.

19 JUVENILE INSTITUTION

20 Sec. 52. 2017 Iowa Acts, chapter 174, section 17, is amended
21 by adding the following new subsection:

22 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
23 appropriated in this section that remain unencumbered or
24 unobligated at the close of the fiscal year shall not revert
25 but shall remain available for expenditure for the purposes
26 designated until the close of the succeeding fiscal year.

27 MENTAL HEALTH INSTITUTES

28 Sec. 53. 2017 Iowa Acts, chapter 174, section 23, is amended
29 by adding the following new subsection:

30 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
31 appropriated in this section that remain unencumbered or
32 unobligated at the close of the fiscal year shall not revert
33 but shall remain available for expenditure for the purposes
34 designated until the close of the succeeding fiscal year.

35 STATE RESOURCE CENTERS

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1 Sec. 54. 2017 Iowa Acts, chapter 174, section 24, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 6. Notwithstanding section 8.33, and
4 notwithstanding the amount limitation specified in section
5 222.92, moneys appropriated in this section that remain
6 unencumbered or unobligated at the close of the fiscal year
7 shall not revert but shall remain available for expenditure
8 for the purposes designated until the close of the succeeding
9 fiscal year.

10 SEXUALLY VIOLENT PREDATORS

11 Sec. 55. 2017 Iowa Acts, chapter 174, section 25, is amended
12 by adding the following new subsection:

13 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
14 appropriated in this section that remain unencumbered or
15 unobligated at the close of the fiscal year shall not revert
16 but shall remain available for expenditure for the purposes
17 designated until the close of the succeeding fiscal year.

18 Sec. 56.EFFECTIVE DATE. This division of this Act, being
19 deemed of immediate importance, takes effect upon enactment.

20 Sec. 57.RETROACTIVE APPLICABILITY. This division of this

21 Act applies retroactively to July 1, 2017.

22 DIVISION VIII

23 DECATEGORIZATION

24 Sec. 58.DECATEGORIZATION CARRYOVER FUNDING — TRANSFER TO
 25 MEDICAID PROGRAM. Notwithstanding section 232.188, subsection
 26 5, paragraph “b”, any state appropriated moneys in the funding
 27 pool that remained unencumbered or unobligated at the close
 28 of the fiscal year beginning July 1, 2015, and were deemed
 29 carryover funding to remain available for the two succeeding
 30 fiscal years that still remain unencumbered or unobligated at
 31 the close of the fiscal year beginning July 1, 2017, shall
 32 not revert but shall be transferred to the medical assistance
 33 program for the fiscal year beginning July 1, 2018.
 34 Sec. 59.EFFECTIVE DATE. This division of this Act, being
 35 deemed of immediate importance, takes effect upon enactment.

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1 Sec. 60.RETROACTIVE APPLICABILITY. This division of this
 2 Act applies retroactively to July 1, 2017.

3 DIVISION IX

4 STATE CASES

5 Sec. 61. Section 218.99, Code 2018, is amended to read as
 6 follows:

7 **218.99 Counties to be notified of patients’ personal**
 8 **accounts.**

9 The administrator in control of a state institution shall
 10 direct the business manager of each institution under the
 11 administrator’s jurisdiction which is mentioned in section
 12 331.424, subsection 1, paragraph “a”, subparagraphs (1) and
 13 (2), and for which services are paid under section 331.424A,
 14 to quarterly inform the county of residence of any patient or
 15 resident who has an amount in excess of two hundred dollars on
 16 account in the patients’ personal deposit fund and the amount
 17 on deposit. The administrators shall direct the business
 18 manager to further notify the county of residence at least
 19 fifteen days before the release of funds in excess of two
 20 hundred dollars or upon the death of the patient or resident.
 21 If the patient or resident has no residency in this state
 22 or the person’s residency is unknown ~~so that the person is~~
 23 ~~deemed to be a state case~~, notice shall be made to the director
 24 of human services and the administrator in control of the
 25 institution involved.

26 Sec. 62. Section 222.60, subsection 1, paragraph b, Code
 27 2018, is amended to read as follows:

28 b. The state when the person is a resident in another state
 29 or in a foreign country, or when the person’s residence is
 30 unknown. ~~The payment responsibility shall be deemed to be a~~
 31 ~~state case.~~

32 Sec. 63. Section 222.60, subsection 2, paragraph b, Code
 33 2018, is amended to read as follows:

34 b. The cost of a regional administrator-required diagnosis

35 and an evaluation is at the mental health and disability

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1 services region's expense. ~~For a state case~~ When a person is
 2 a resident in another state or in a foreign country, or when
 3 the persons' residence is unknown, the state may apply the
 4 diagnosis and evaluation provisions of this subsection at the
 5 state's expense.

6 Sec. 64. Section 222.65, subsection 1, Code 2018, is amended
 7 to read as follows:

8 1. If the administrator concurs with a certified
 9 determination as to residency of the person ~~so that the~~
 10 person is deemed a state case in another state or in a foreign
 11 country, or the person's residence is unknown under section
 12 222.60, the administrator shall cause the person either to be
 13 transferred to a resource center or a special unit or to be
 14 transferred to the place of foreign residency.

15 Sec. 65. Section 222.66, Code 2018, is amended to read as
 16 follows:

17 **222.66 Transfers — state cases no residency in the state or**
 18 **residency unknown — expenses.**

19 ~~1.~~ The transfer to a resource center or a special unit or
 20 to the place of residency of a person with an intellectual
 21 disability who has no residence in this state or whose
 22 residency is unknown, shall be made in accordance with such
 23 directions as shall be prescribed by the administrator and
 24 when practicable by employees of the state resource center or
 25 the special unit. The actual and necessary expenses of such
 26 transfers shall be paid by the department on itemized vouchers
 27 sworn to by the claimants and approved by the administrator and
 28 the approved amount is appropriated to the department from any
 29 funds in the state treasury not otherwise appropriated.

30 ~~2. The case of a person with an intellectual disability~~
 31 ~~who is determined to have no residence in this state or whose~~
 32 ~~residence is unknown shall be considered a state case.~~

33 Sec. 66. Section 222.67, Code 2018, is amended to read as
 34 follows:

35 **222.67 Charge on finding of residency.**

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1 If a person has been received into a resource center or a
 2 special unit as a patient whose residency is unknown and the
 3 administrator determines that the residency of the patient
 4 was at the time of admission in a county of this state, the
 5 administrator shall certify the determination and charge
 6 all legal costs and expenses pertaining to the admission
 7 and support of the patient to the county of residence. The
 8 certification shall be sent to the county of residence. The
 9 certification shall be accompanied by a copy of the evidence
 10 supporting the determination. If the person's residency status

11 has been determined in accordance with section 331.394, the
 12 legal costs and expenses shall be charged to the county ~~or as a~~
 13 ~~state case~~ in accordance with that determination. The costs
 14 and expenses shall be collected as provided by law in other
 15 cases.

16 Sec. 67. Section 222.70, Code 2018, is amended to read as
 17 follows:

18 **222.70 Residency disputes.**

19 If a dispute arises between counties or between the
 20 department and a county as to the residency of a person
 21 admitted to a resource center, ~~or a special unit, or a~~
 22 ~~community-based service~~, the dispute shall be resolved as
 23 provided in section 331.394.

24 Sec. 68. Section 226.45, Code 2018, is amended to read as
 25 follows:

26 **226.45 Reimbursement to county or state.**

27 If a patient is not receiving medical assistance under
 28 chapter 249A and the amount ~~to~~ in the account of any patient
 29 in the patients' personal deposit fund exceeds two hundred
 30 dollars, the business manager of the hospital may apply any
 31 of the excess to reimburse the county of residence or the
 32 state ~~for a state case~~ when the patient is a resident in
 33 another state or in a foreign country, or when the patient's
 34 residence is unknown for liability incurred by the county or
 35 the state for the payment of care, support and maintenance of

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1 the patient, when billed by the county of residence or by the
 2 administrator ~~for a state case~~ when the patient is a resident
 3 in another state or in a foreign country, or when the patient's
 4 residence is unknown.

5 Sec. 69. Section 230.1, subsection 1, paragraph b, Code
 6 2018, is amended to read as follows:

7 b. By the state ~~as a state case~~ if such person has no
 8 residence in this state, if the person's residence is unknown,
 9 or if the person is under eighteen years of age.

10 Sec. 70. Section 230.2, Code 2018, is amended to read as
 11 follows:

12 **230.2 Finding of residence.**

13 If a person's residency status is disputed, the residency
 14 shall be determined in accordance with section 331.394.

15 Otherwise, the district court may, when the person is
 16 ordered placed in a hospital for psychiatric examination and
 17 appropriate treatment, or as soon thereafter as the court
 18 obtains the proper information, make one of the following
 19 determinations and enter of record whether the residence of the
 20 person is in a county or the person is ~~deemed to be a state case~~
 21 a resident in another state or in a foreign country, or when
 22 the person's residence is unknown, as follows:

23 1. That the person's residence is in the county from which
 24 the person was placed in the hospital.

25 2. That the person's residence is in another county of the
26 state.

27 3. That the person's residence is in a foreign state or
28 country ~~and the person is deemed to be a state case.~~

29 4. That the person's residence is unknown ~~and the person is~~
30 ~~deemed to be a state case.~~

31 Sec. 71. Section 230.8, Code 2018, is amended to read as
32 follows:

33 **230.8 Transfers of persons with mental illness — expenses.**

34 The transfer to any state hospitals or to the places of their
35 residence of persons with mental illness who have no residence

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1 in this state or whose residence is unknown ~~and deemed to be a~~
2 ~~state case~~, shall be made according to the directions of the
3 administrator, and when practicable by employees of the state
4 hospitals. The actual and necessary expenses of such transfers
5 shall be paid by the department on itemized vouchers sworn to
6 by the claimants and approved by the administrator.

7 Sec. 72. Section 230.9, Code 2018, is amended to read as
8 follows:

9 **230.9 Subsequent discovery of residence.**

10 If, after a person has been received by a state hospital
11 for persons with mental illness ~~as a state case patient~~
12 whose residence is supposed to be outside this state, the
13 administrator determines that the residence of the person
14 was, at the time of admission or commitment, in a county of
15 this state, the administrator shall certify the determination
16 and charge all legal costs and expenses pertaining to the
17 admission or commitment and support of the person to the county
18 of residence. The certification shall be sent to the county
19 of residence. The certification shall be accompanied by a
20 copy of the evidence supporting the determination. The costs
21 and expenses shall be collected as provided by law in other
22 cases. If the person's residency status has been determined in
23 accordance with section 331.394, the legal costs and expenses
24 shall be charged ~~to the county of residence or as a state case~~
25 in accordance with that determination.

26 Sec. 73. Section 230.11, Code 2018, is amended to read as
27 follows:

28 **230.11 Recovery of costs from state.**

29 Costs and expenses attending the taking into custody,
30 care, and investigation of a person who has been admitted
31 or committed to a state hospital, United States department
32 of veterans affairs hospital, or other agency of the United
33 States government, for persons with mental illness and who
34 has no residence in this state or whose residence is unknown,
35 including cost of commitment, if any, shall be paid ~~as a state~~

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1 ease as approved by the administrator. The amount of the costs
 2 and expenses approved by the administrator is appropriated
 3 to the department from any money in the state treasury
 4 not otherwise appropriated. Payment shall be made by the
 5 department on itemized vouchers executed by the auditor of the
 6 county which has paid them, and approved by the administrator.

7 Sec. 74. Section 249A.26, subsection 2, paragraph b, Code
 8 2018, is amended to read as follows:

9 b. The state shall pay for one hundred percent of the
 10 nonfederal share of the costs of case management provided for
 11 adults, day treatment, partial hospitalization, and the home
 12 and community-based services waiver services ~~for persons who~~
 13 ~~have no residence in this state or whose residence is unknown~~
 14 ~~so that the persons are deemed to be state cases.~~

15 Sec. 75. Section 249A.26, subsection 7, Code 2018, is
 16 amended by striking the subsection.

17 Sec. 76. Section 331.394, Code 2018, is amended to read as
 18 follows:

19 **331.394 County of residence — services to residents —**
 20 **service authorization appeals — disputes between counties or**
 21 **regions and the department.**

22 1. For the purposes of this section, unless the context
 23 otherwise requires:

24 a. *“County of residence”* means the county in this state in
 25 which, at the time a person applies for or receives services,
 26 the person is living and has established an ongoing presence
 27 with the declared, good faith intention of living in the
 28 county for a permanent or indefinite period of time. The
 29 county of residence of a person who is a homeless person
 30 is the county where the homeless person usually sleeps. A
 31 person maintains residency in the county or state in which the
 32 person last resided while the person is present in another
 33 county or this state receiving services in a hospital, a
 34 correctional facility, a halfway house for community-based
 35 corrections or substance-related treatment, a nursing facility,

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1 an intermediate care facility for persons with an intellectual
 2 disability, or a residential care facility, or for the purpose
 3 of attending a college or university.

4 b. *“Homeless person”* means the same as defined in section
 5 48A.2.

6 c. *“Mental health professional”* means the same as defined
 7 in section 228.1.

8 d. *“Person”* means a person who is a United States citizen or
 9 a qualified alien as defined in 8 U.S.C. §1641.

10 2. If a person appeals a decision regarding a service
 11 authorization or other services-related decision made by a
 12 regional administrator that cannot be resolved informally,

13 the appeal shall be heard in a contested case proceeding by a
14 state administrative law judge. The administrative law judge's
15 decision shall be considered final agency action under chapter
16 17A.

17 3. If a service authorization or other services-related
18 decision made by a regional administrator concerning a person
19 varies from the type and amount of service identified to be
20 necessary for the person in a clinical determination made by a
21 mental health professional and the mental health professional
22 believes that failure to provide the type and amount of service
23 identified could cause an immediate danger to the person's
24 health or safety, the person may request an expedited review
25 of the regional administrator's decision to be made by the
26 department of human services. An expedited review held in
27 accordance with this subsection is subject to the following
28 procedures:

29 a. The request for the expedited review shall be filed
30 within five business days of receiving the notice of decision
31 by the regional administrator. The request must be in writing,
32 plainly state the request for an expedited review in the
33 caption and body of the request, and be supported by written
34 documentation from the mental health professional who made the
35 clinical determination stating how the notice of decision on

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1 services could cause an immediate danger to the person's health
2 or safety.

3 b. The expedited review shall be performed by a mental
4 health professional, who is either the administrator of the
5 division of mental health and disability services of the
6 department of human services or the administrator's designee.
7 If the administrator is not a mental health professional,
8 the expedited review shall be performed by a designee of the
9 administrator who is a mental health professional and is free
10 of any conflict of interest to perform the expedited review.
11 The expedited review shall be performed within two business
12 days of the time the request is filed. If the reviewer
13 determines the information submitted in connection with the
14 request is inadequate to perform the review, the reviewer shall
15 request the submission of additional information and the review
16 shall be performed within two business days of the time that
17 adequate information is submitted. The regional administrator
18 and the person, with the assistance of the mental health
19 professional who made the clinical determination, shall each
20 provide a brief statement of facts, conclusions, and reasons
21 for the decision made. Supporting clinical information shall
22 also be attached. All information related to the proceedings
23 and any related filings shall be considered to be mental health
24 information subject to chapter 228.

25 c. The administrator or designee shall issue an order,
26 including a brief statement of findings of fact, conclusions of

27 law, and policy reasons for the order, to justify the decision
 28 made concerning the expedited review. If the decision concurs
 29 with the contention that there is an immediate danger to the
 30 person's health or safety, the order shall identify the type
 31 and amount of service which shall be provided for the person.
 32 The administrator or designee shall give such notice as is
 33 practicable to persons who are required to comply with the
 34 order. The order is effective when issued.
 35 *d.* The decision of the administrator or designee shall be

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1 considered a final agency action and is subject to judicial
 2 review in accordance with section 17A.19. The record for
 3 judicial review consists of any documents regarding the matter
 4 that were considered or prepared by the administrator or
 5 designee. The administrator or designee shall maintain these
 6 documents as the official record of the decision. If the
 7 matter is appealed to the district court, the record shall be
 8 filed as confidential.

9 4. If a county of residence is part of a mental health and
 10 disability services region that has agreed to pool funding and
 11 liability for services, the responsibilities of the county
 12 under law regarding such services shall be performed on behalf
 13 of the county by the regional administrator. The county of
 14 residence or the county's mental health and disability services
 15 region, as applicable, is responsible for paying the public
 16 costs of the mental health and disability services that are
 17 not covered by the medical assistance program under chapter
 18 249A and are provided in accordance with the region's approved
 19 service management plan to persons who are residents of the
 20 county or region.

21 5.a. The dispute resolution process implemented in
 22 accordance with this subsection applies to residency disputes.
 23 The dispute resolution process is not applicable to disputes
 24 involving persons committed to a state facility pursuant to
 25 chapter 812 or rule of criminal procedure 2.22, Iowa court
 26 rules, or to disputes involving service authorization decisions
 27 made by a region.

28 *b.* If a county, or region, or the department, as applicable,
 29 receives a billing for services provided to a resident
 30 in another county or region, or objects to a residency
 31 determination certified by the department or another county's
 32 or region's regional administrator and asserts either that the
 33 person has residency in another county or region or the person
 34 is not a resident of this state or the person's residency is
 35 unknown so that the person is deemed a state case, the person's

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1 residency status shall be determined as provided in this
 2 subsection. ~~The county or region shall notify the department~~

3 ~~of the county's or region's assertion within one hundred twenty~~
 4 ~~days of receiving the billing.~~ If the county or region asserts
 5 that the person has residency in another county or region,
 6 ~~that the county or region shall be notified at the same time~~
 7 ~~as the department.~~ If the department disputes a residency
 8 ~~determination certification made by a regional administrator,~~
 9 ~~the department shall notify the affected counties or regions of~~
 10 ~~the department's assertion~~ notify the other county or region
 11 within one hundred twenty days of receiving the billing for
 12 services.

13 c. The ~~department,~~ county, or region that received the
 14 notification, as applicable, shall respond to the party that
 15 provided the notification within forty-five days of receiving
 16 the notification. If the parties cannot agree to a settlement
 17 as to the person's residency status within ninety days of the
 18 date of notification, on motion of any of the parties, the
 19 matter shall be referred to the department of inspections and
 20 appeals for a contested case hearing under chapter 17A before
 21 an administrative law judge assigned in accordance with section
 22 10A.801 to determine the person's residency status.

23 d.(1) The administrative law judge's determination
 24 of the person's residency status shall be considered final
 25 agency action, notwithstanding contrary provisions of section
 26 17A.15. The party that does not prevail in the determination
 27 or subsequent judicial review is liable for costs associated
 28 with the proceeding, including reimbursement of the department
 29 of inspections and appeals' actual costs associated with
 30 the administrative proceeding. Judicial review of the
 31 determination may be sought in accordance with section 17A.19.

32 (2) If following the determination of a person's residency
 33 status in accordance with this subsection, additional evidence
 34 becomes available that merits a change in that determination,
 35 the parties affected may change the determination by mutual

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1 agreement. Otherwise, a party may move that the matter be
 2 reconsidered by the ~~department,~~ county, or region, or by the
 3 administrative law judge.

4 e.(1) Unless a petition is filed for judicial review,
 5 the administrative law judge's determination of the person's
 6 residency status shall result in one of the following:

7 (a) If a county or region is determined to be the person's
 8 residence, the county or region shall pay the amounts due and
 9 shall reimburse any other amounts paid for services provided by
 10 the other county or region ~~or the department~~ on the person's
 11 behalf prior to the determination.

12 (b) If it is determined that the person is not a resident
 13 of this state ~~or the person's residency is unknown so that the~~
 14 ~~person is deemed to be a state case,~~ the department shall pay
 15 ~~the amounts due and shall reimburse the county or region, as~~
 16 ~~applicable, for any payment made on behalf of the person prior~~

17 ~~to the determination~~ neither the region in which the services
 18 were provided nor the state shall be liable for payment of
 19 amounts due for services provided to the person prior to the
 20 determination.

21 (2) The payment or reimbursement shall be remitted within
 22 forty-five days of the date the determination was issued.
 23 After the forty-five-day period, a penalty of not greater than
 24 one percent per month may be added to the amount due.

25 6.a. The dispute resolution process implemented in
 26 accordance with this subsection applies beginning July 1, 2012,
 27 to billing disputes between the state and a county or region,
 28 other than residency disputes or other dispute processes under
 29 this section, involving the responsibility for service costs
 30 for services provided on or after July 1, 2011, under any of
 31 the following:

- 32 (1) Chapter 221.
- 33 (2) Chapter 222.
- 34 (3) Chapter 229.
- 35 (4) Chapter 230.

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1 (5) Chapter 249A.

2 (6) Chapter 812.

3 b. If a county, region, or the department, as applicable,
 4 disputes a billing for service costs listed in paragraph "a",
 5 the dispute shall be resolved as provided in this subsection.
 6 The county or region shall notify the department of the
 7 county's or region's assertion within ninety days of receiving
 8 the billing. However, for services provided on or after July
 9 1, 2011, for which a county has received the billing as of July
 10 1, 2012, the county shall notify the department of the county's
 11 assertion on or before October 1, 2012. If the department
 12 disputes such a billing of a regional administrator, the
 13 department shall notify the affected counties or regions of the
 14 department's assertion.

15 c. The department, county, or region that received the
 16 notification, as applicable, shall respond to the party
 17 that provided the notification within forty-five days of
 18 receiving the notification. If the parties cannot agree to a
 19 settlement as to the dispute within ninety days of the date
 20 of notification, on motion of any of the parties, the matter
 21 shall be referred to the department of inspections and appeals
 22 for a contested case hearing under chapter 17A before an
 23 administrative law judge assigned in accordance with section
 24 10A.801 to determine facts and issue a decision to resolve the
 25 dispute.

26 d.(1) The administrative law judge's decision is a final
 27 agency action, notwithstanding contrary provisions of section
 28 17A.15. The party that does not prevail in the decision or
 29 subsequent judicial review is liable for costs associated with
 30 the proceeding, including reimbursement of the department of

31 inspections and appeals' actual costs associated with the
32 administrative proceeding. Judicial review of the decision may
33 be sought in accordance with section 17A.19.

34 (2) If following the decision regarding a dispute in
35 accordance with this subsection, additional evidence becomes

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1 available that merits a change in that decision, the parties
2 affected may change the decision by mutual agreement.
3 Otherwise, a party may move that the matter be reconsidered by
4 the department, county, or region, or by the administrative law
5 judge.

6 e.(1) Unless a petition is filed for judicial review,
7 the administrative law judge's decision regarding a disputed
8 billing shall result in one of the following:

9 (a) If a county or region is determined to be responsible
10 for the disputed amounts, the county or region shall pay
11 the amounts due and shall reimburse any other amounts paid
12 for services provided by the other county or region or the
13 department on the person's behalf prior to the decision.

14 (b) If it is determined that the state is responsible for
15 the disputed amounts, the state shall pay the amounts due and
16 shall reimburse the county or region, as applicable, for any
17 payment made on behalf of the person prior to the decision.

18 (2) The payment or reimbursement shall be remitted within
19 forty-five days of the date the decision was issued. After
20 the forty-five-day period, a penalty of not greater than one
21 percent per month may be added to the amount due.

22 Sec. 77.REPEAL. Section 226.9C, Code 2018, is repealed.

23 DIVISION X

24 IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING

25 Sec. 78.IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING. The
26 department on aging and the department of human services shall
27 collaborate to develop a cost allocation plan requesting
28 Medicaid administrative funding to provide for the claiming
29 of federal financial participation for aging and disability
30 resource center activities that are performed to assist with
31 administration of the Medicaid program. By January 1, 2019,
32 the department of human services shall submit to the centers
33 for Medicare and Medicaid services of the United States
34 department of health and human services any Medicaid state plan
35 amendment as necessary and shall enter into an interagency

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1 agreement with the department on aging to implement this
2 section.

3 Sec. 79.EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.

5 DIVISION XI

6 EXECUTIVE DIRECTOR — DEPARTMENT OF VETERANS AFFAIRS

7 Sec. 80. 2008 Iowa Acts, chapter 1191, section 14,
8 subsection 3, is amended to read as follows:

9 3. The following are range 3 positions: administrator of
10 the division of criminal and juvenile justice planning of
11 department of human rights, administrator of the division of
12 community action agencies of the department of human rights,
13 ~~executive director of the department of veterans affairs,~~ and
14 chairperson and members of the employment appeal board of the
15 department of inspections and appeals.

16 Sec. 81. 2008 Iowa Acts, chapter 1191, section 14,
17 subsection 5, as amended by 2013 Iowa Acts, chapter 123,
18 section 63, is amended to read as follows:

19 5. The following are range 5 positions: administrator of
20 the division of homeland security and emergency management of
21 the department of public defense, state public defender, drug
22 policy coordinator, labor commissioner, workers' compensation
23 commissioner, director of the department of cultural affairs,
24 director of the department of elder affairs, director of the
25 law enforcement academy, members of the property assessment
26 appeal board, executive director of the department of veterans
27 affairs, and administrator of the historical division of the
28 department of cultural affairs.

29 Sec. 82.EFFECTIVE DATE. This division of this Act, being
30 deemed of immediate importance, takes effect upon enactment.

31 DIVISION XII

32 FAMILY PLANNING SERVICES PROGRAM

33 Sec. 83. Section 217.41B, subsection 3, Code 2018, is
34 amended to read as follows:

35 3. a. (1) Distribution of family planning services program

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1 funds shall not be made to any entity that performs abortions
2 or that maintains or operates a facility where abortions
3 are performed, which shall not be interpreted to include a
4 nonpublic entity that is a distinct location of a nonprofit
5 health care delivery system, if the distinct location provides
6 family planning services but does not perform abortions
7 or maintain or operate as a facility where abortions are
8 performed.

9 (2) The department of human services shall adopt rules
10 pursuant to chapter 17A to require that as a condition of
11 eligibility as a provider under the family planning services
12 program, each distinct location of a nonprofit health care
13 delivery system shall enroll in the program as a separate
14 provider, be assigned a distinct provider identification
15 number, and complete an attestation that abortions are not
16 performed at the distinct location.

17 (3) For the purposes of this section, "nonprofit health
18 care delivery system" means an Iowa nonprofit corporation
19 that controls, directly or indirectly, a regional health
20 care network consisting of hospital facilities and various

21 ambulatory and clinic locations that provide a range of
 22 primary, secondary, and tertiary inpatient, outpatient, and
 23 physician services.

24 b. For the purposes of this section, “*abortion*” does not
 25 include any of the following:

26 ~~a.~~ (1) The treatment of a woman for a physical
 27 disorder, physical injury, or physical illness, including a
 28 life-endangering physical condition caused by or arising from
 29 the pregnancy itself, that would, as certified by a physician,
 30 place the woman in danger of death.

31 ~~b.~~ (2) The treatment of a woman for a spontaneous abortion,
 32 commonly known as a miscarriage, when not all of the products
 33 of human conception are expelled.

34 DIVISION XIII
 35 PROVISIONAL REGIONALIZATION AUTHORIZATION

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1 Sec. 84. Section 331.389, subsection 1, paragraphs b and c,
 2 Code 2018, are amended to read as follows:

3 ~~b.~~ ~~The director of human services shall exempt a county~~
 4 ~~from being required to enter into a regional service system if~~
 5 ~~the county furnishes evidence that the county complies with~~
 6 ~~the requirements in subsection 3, paragraphs “c”, “d”, “e”,~~
 7 ~~and “f”, and is able to provide the core services required~~
 8 ~~by law to the county’s residents in a manner that is as cost~~
 9 ~~effective and with outcomes that are at least equal to what~~
 10 ~~could be provided to the residents if the county would provide~~
 11 ~~the services through a regional service system. The director~~
 12 ~~shall identify criteria for evaluating the evidence provided by~~
 13 ~~counties applying for the exemption. The criteria identified~~
 14 ~~shall be specified in rule adopted by the state commission.~~

15 ~~e.~~ b. If a county has been exempted pursuant to this
 16 subsection prior to July 1, 2014, from the requirement to enter
 17 into a regional service system, the county and the county’s
 18 board of supervisors shall fulfill all requirements under
 19 this chapter and chapter 225C for a regional service system,
 20 regional service system management plan, regional governing
 21 board, and regional administrator, and any other provisions
 22 applicable to a region of counties providing local mental
 23 health and disability services.

24 Sec. 85. Section 331.389, subsection 2, Code 2018, is
 25 amended to read as follows:

26 2. The director of human services shall approve any region
 27 meeting the requirements of subsection 3. ~~However, the~~
 28 ~~director of human services, in consultation with the state~~
 29 ~~commission, may grant a waiver from the requirement relating to~~
 30 ~~the minimum number of counties if there is convincing evidence~~
 31 ~~that compliance with such requirement is not workable.~~

32 Sec. 86. Section 331.389, subsection 3, paragraph a, Code
 33 2018, is amended to read as follows:

34 a. The counties comprising the region are contiguous ~~except~~

35 that a region may include a county that is not contiguous with

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1 any of the other counties in the region, if the county that is
2 not contiguous has had a formal relationship for two years or
3 longer with one or more of the other counties in the region for
4 the provision of mental health and disability services.

5 Sec. 87. Section 331.389, subsection 4, paragraph c, Code
6 2018, is amended to read as follows:

7 c. ~~During the period of April 2, 2013, through July 1,~~
8 ~~2013, the~~ The department shall work with any county that has
9 not agreed to be part of a region in accordance with paragraph
10 "a" and with the regions forming around the county to resolve
11 issues preventing the county from joining a region. ~~By July~~
12 ~~1, 2013, a~~ A county that has not agreed to be part of a region
13 in accordance with paragraph "a" shall be assigned by the
14 department to a region, unless exempted ~~pursuant to subsection~~
15 ~~1 prior to July 1, 2014.~~

16 Sec. 88. Section 331.389, subsection 4, paragraph e,
17 unnumbered paragraph 1, Code 2018, is amended to read as
18 follows:

19 On or before June 30, 2014, unless exempted ~~pursuant to~~
20 ~~subsection 1 prior to July 1, 2014,~~ all counties shall be
21 in compliance with all of the following mental health and
22 disability services region implementation criteria:

23 Sec. 89. Section 331.424A, subsection 8, Code 2018, is
24 amended to read as follows:

25 8.a. For the fiscal year beginning July 1, 2017, the
26 regional per capita expenditure target amount is the sum of the
27 base expenditure amount for all counties in the region divided
28 by the population of the region. However, a regional per
29 capita expenditure target amount shall not exceed the statewide
30 per capita expenditure target amount. For the fiscal year
31 beginning July 1, 2018, and each subsequent fiscal year, the
32 regional per capita expenditure target amount for each region
33 is equal to the regional per capita expenditure target amount
34 for the fiscal year beginning July 1, 2017.

35 b. Notwithstanding paragraph "a", for the fiscal year

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1 beginning July 1, 2019, the regional per capita expenditure
2 target amount for a region formed pursuant to the section of
3 this Act which authorizes regionalization is the sum of the
4 base expenditure amount for all counties in the region divided
5 by the population of the region. However, the regional per
6 capita expenditure target amount shall not exceed the statewide
7 per capita expenditure target amount. For the fiscal year
8 beginning July 1, 2020, and each subsequent fiscal year, the
9 regional per capita expenditure target amount for the region
10 shall be equal to the regional per capita expenditure target

11 amount for the fiscal year beginning July 1, 2019.

12 Sec. 90.MENTAL HEALTH AND DISABILITY SERVICES —
13 REGIONALIZATION AUTHORIZATION.

14 1. Upon receiving a request from any county within the
15 county social services mental health and disability services
16 region to be removed from the region, the director of human
17 services may authorize the county to join with other counties
18 requesting to be removed from the county social services mental
19 health and disability services region in the formation of a
20 proposed new mental health and disability services region.

21 2. County formation of a proposed new mental health and
22 disability services region pursuant to this section is subject
23 to all of the following:

24 a. The aggregate population of all counties forming
25 the region is at least 100,000 and includes at least one
26 incorporated city with a population of more than 24,000. For
27 purposes of this subparagraph, "population" means the same as
28 defined in section 331.388, subsection 3, Code 2018.

29 b. Notwithstanding section 331.389, subsection 4, on or
30 before February 1, 2019, the counties forming the region have
31 complied with section 331.389, subsection 3, as amended in
32 this division of this Act, and all of the following additional
33 requirements:

34 (1) The board of supervisors of each county forming the
35 region has voted to approve a chapter 28E agreement.

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1 (2) The duly authorized representatives of all the counties
2 forming the region have signed a chapter 28E agreement that is
3 in compliance with section 331.392 and 441 IAC 25.14.

4 (3) The county board of supervisors' or supervisors'
5 designee members and other members of the region's governing
6 board are appointed in accordance with section 331.390.

7 (4) Executive staff for the region's regional administrator
8 are identified or engaged.

9 (5) The regional service management plan is developed in
10 accordance with section 331.393 and 441 IAC 25.18 and 441 IAC
11 25.21 and is submitted to the department.

12 (6) The initial regional service management plan shall
13 identify the service provider network for the region, identify
14 the information technology and data management capacity to be
15 employed to support regional functions, and establish business
16 functions, accounting procedures, and other administrative
17 processes.

18 c. Each county forming the region shall submit the
19 compliance information required in paragraph "b" to the
20 director of human services on or before February 1, 2019.
21 Within 45 days of receipt of such information, the director
22 of human services shall determine if the region is in full
23 compliance and shall approve the region if the region has met
24 all of the requirements of this section.

25 d. The director of human services shall work with a county
 26 making a request under this section that has not agreed or
 27 is unable to join the proposed new region to resolve issues
 28 preventing the county from joining the proposed new region.

29 e. By February 1, 2019, the director of human services shall
 30 assign a county making a request under this section that has
 31 not reached an agreement to be part of the proposed new region
 32 to an existing region or to the new proposed region, consistent
 33 with this section.

34 3. If approved by the department, the region shall commence
 35 full operations no later than July 1, 2019.

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1 Sec. 91.EFFECTIVE DATE. This division of this Act, being
 2 deemed of immediate importance, takes effect upon enactment.

3 DIVISION XIV

4 MANDATORY REPORTER TRAINING AND CERTIFICATION WORKGROUP

5 Sec. 92.DEPARTMENT OF HUMAN SERVICES — MANDATORY REPORTER
 6 TRAINING AND CERTIFICATION WORKGROUP. The department of human
 7 services, in cooperation with the departments of education
 8 and public health, shall facilitate a study by a workgroup of
 9 stakeholders to make recommendations relating to mandatory
 10 child abuse and mandatory dependent adult abuse reporter
 11 training and certification requirements. The workgroup shall
 12 develop interdepartmental strategies for improving mandatory
 13 child abuse and mandatory dependent adult abuse reporter
 14 training and certification requirements. The workgroup
 15 shall consist of representatives from the departments of
 16 human services, education, public health, public safety, and
 17 human rights, the department on aging, and the office of the
 18 attorney general; a court appointed special advocate; and other
 19 experts the department of human services deems necessary. The
 20 membership of the workgroup shall also include four members of
 21 the general assembly. The legislative members shall serve as
 22 ex officio, nonvoting members of the workgroup, with one member
 23 to be appointed by each of the following: the majority leader
 24 of the senate, the minority leader of the senate, the speaker
 25 of the house of representatives, and the minority leader of the
 26 house of representatives. The workgroup shall submit a report
 27 with recommendations, including but not limited to strategies
 28 developed and other proposed improvements, to the governor and
 29 the general assembly on or before December 15, 2018.

30 DIVISION XV

31 NURSING FACILITY QUALITY ASSURANCE ASSESSMENT

32 Sec. 93. Section 249L.3, subsection 1, paragraph d, Code
 33 2018, is amended to read as follows:

34 d. The aggregate quality assurance assessments imposed under
 35 this chapter shall not exceed ~~the lower of three percent of the~~

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1 ~~aggregate non-Medicare revenues of a nursing facility or the~~
 2 maximum amount that may be assessed pursuant to the indirect
 3 guarantee threshold as established pursuant to 42 C.F.R.
 4 §433.68(f)(3)(i), and shall be stated on a per-patient-day
 5 basis.

6 Sec. 94. Section 249L.4, subsection 2, Code 2018, is amended
 7 to read as follows:

8 2. Moneys in the trust fund shall be used, subject to
 9 their appropriation by the general assembly, by the department
 10 only for reimbursement of nursing facility services for which
 11 federal financial participation under the medical assistance
 12 program is available to match state funds. ~~Any moneys~~ Moneys
 13 appropriated from the trust fund for reimbursement of nursing
 14 facilities, in addition to the quality assurance assessment
 15 pass-through and the quality assurance assessment rate add-on
 16 which shall be used as specified in subsection 5, paragraph "b",
 17 shall be used in a manner such that no less than thirty-five
 18 percent of the amount received by a nursing facility is used
 19 for increases in compensation and costs of employment for
 20 direct care workers, and no less than sixty percent of the
 21 total is used to increase compensation and costs of employment
 22 for all nursing facility staff. For the purposes of use of
 23 such funds, "*direct care worker*", "*nursing facility staff*",
 24 "*increases in compensation*", and "*costs of employment*" mean as
 25 defined or specified in this chapter.

26 Sec. 95. DIRECTIVES TO DEPARTMENT OF HUMAN SERVICES.

27 1. The department of human services shall request approval
 28 from the centers for Medicare and Medicaid services of the
 29 United States department of health and human services for any
 30 waiver or state plan amendment necessary to administer this
 31 division of this Act.

32 2. The change in the quality assurance assessment shall
 33 accrue beginning on the first day of the calendar quarter
 34 following the date of approval of any waiver or state plan
 35 amendment.

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1 DIVISION XVI
 2 SEXUAL OFFENSES AND SEX OFFENDERS

3 Sec. 96. Section 229A.2, subsection 4, Code 2018, is amended
 4 to read as follows:

5 4. "*Discharge*" means an unconditional discharge from the
 6 sexually violent predator program. A person released from a
 7 secure facility into a transitional release program or released
 8 with ~~or without~~ supervision is not considered to be discharged.

9 Sec. 97. Section 229A.5B, subsection 1, unnumbered
 10 paragraph 1, Code 2018, is amended to read as follows:

11 A person who is detained pursuant to section 229A.5 or is
 12 subject to an order of civil commitment under this chapter

13 shall remain in custody unless released by court order or
 14 discharged under section 229A.8 or 229A.10. A person who has
 15 been placed in a transitional release program or who is under
 16 release with ~~or without~~ supervision is considered to be in
 17 custody. A person in custody under this chapter shall not do
 18 any of the following:

19 Sec. 98. Section 229A.5C, subsection 4, Code 2018, is
 20 amended to read as follows:

21 4. A person who committed a public offense while in a
 22 transitional release program or on release with ~~or without~~
 23 supervision may be returned to a secure facility operated by
 24 the department of human services upon completion of any term
 25 of confinement that resulted from the commission of the public
 26 offense.

27 Sec. 99. Section 229A.6A, subsection 1, paragraph d, Code
 28 2018, is amended to read as follows:

29 d. To a facility for placement or treatment in a
 30 transitional release program or for release with ~~or without~~
 31 supervision. A transport order is not required under this
 32 paragraph.

33 Sec. 100. Section 229A.7, subsection 7, Code 2018, is
 34 amended to read as follows:

35 7. The control, care, and treatment of a person determined

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1 to be a sexually violent predator shall be provided at a
 2 facility operated by the department of human services. At all
 3 times prior to placement in a transitional release program
 4 or release with ~~or without~~ supervision, persons committed
 5 for control, care, and treatment by the department of human
 6 services pursuant to this chapter shall be kept in a secure
 7 facility and those patients shall be segregated at all times
 8 from any other patient under the supervision of the department
 9 of human services. A person committed pursuant to this chapter
 10 to the custody of the department of human services may be kept
 11 in a facility or building separate from any other patient
 12 under the supervision of the department of human services.
 13 The department of human services may enter into a chapter
 14 28E agreement with the department of corrections or other
 15 appropriate agency in this state or another state for the
 16 confinement of patients who have been determined to be sexually
 17 violent predators. Patients who are in the custody of the
 18 director of the department of corrections pursuant to a chapter
 19 28E agreement and who have not been placed in a transitional
 20 release program or released with ~~or without~~ supervision shall
 21 be housed and managed separately from criminal offenders in
 22 the custody of the director of the department of corrections,
 23 and except for occasional instances of supervised incidental
 24 contact, shall be segregated from those offenders.

25 Sec. 101. Section 229A.8B, subsection 3, Code 2018, is
 26 amended to read as follows:

27 3. Upon the return of the committed person to a secure
28 facility, the director of human services or the director's
29 designee shall notify the court that issued the ex parte order
30 that the absconder has been returned to a secure facility, and
31 the court shall set a hearing ~~within five days~~ to determine if
32 a violation occurred. If a court order was not issued, the
33 director or the director's designee shall contact the nearest
34 district court with jurisdiction to set a hearing to determine
35 whether a violation of the rules or directives occurred. The

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1 court shall schedule a hearing ~~within five days of~~ after
2 receiving notice that the committed person has been returned
3 from the transitional release program to a secure facility.
4 Sec. 102. Section 229A.9A, Code 2018, is amended to read as
5 follows:
6 **229A.9A Release with ~~or without~~ supervision.**
7 1. In any proceeding under section 229A.8, the court may
8 order the committed person released with ~~or without~~ supervision
9 if any of the following apply:
10 a. The attorney general stipulates to the release with ~~or~~
11 ~~without~~ supervision.
12 b. The court or jury has determined that the person should
13 be ~~discharged~~ released from the program a secure facility or
14 a transitional release program, but the court has determined
15 the person suffers from a mental abnormality and it is in the
16 best interest of the community to order release with ~~or without~~
17 supervision before the committed person is discharged.
18 2. If release with ~~or without~~ supervision is ordered, the
19 department of human services shall prepare within sixty days of
20 the order of the court a release plan addressing the person's
21 needs for counseling, medication, community support services,
22 residential services, vocational services, alcohol or other
23 drug abuse treatment, sex offender treatment, or any other
24 treatment or supervision necessary.
25 3. The court shall set a hearing on the release plan
26 prepared by the department of human services before the
27 committed person is released from a secure facility or a
28 transitional release program.
29 4. If the court orders release with supervision, the court
30 shall order supervision by an agency with jurisdiction that
31 is familiar with the placement of criminal offenders in the
32 community. The agency with jurisdiction shall be responsible
33 for initiating proceedings for violations of the release plan
34 as provided in section 229A.9B. ~~If the court orders release~~
35 ~~without supervision, the agency with jurisdiction shall also be~~

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1 ~~responsible for initiating proceedings for any violations of~~
2 ~~the release plan as provided in section 229A.9B.~~

3 5. A committed person may not petition the court for release
4 with ~~or without~~ supervision.

5 6. A committed person released with ~~or without~~ supervision
6 is not considered discharged from civil commitment under this
7 chapter.

8 7. After being released with ~~or without~~ supervision, the
9 person may petition the court for discharge as provided in
10 section 229A.8.

11 8. The court shall retain jurisdiction over the committed
12 person who has been released with ~~or without~~ supervision until
13 the person is discharged from the program. The department
14 of human services ~~or a judicial district department of~~
15 correctional services shall not be held liable for any acts
16 committed by a committed person who has been ordered released
17 with ~~or without~~ supervision.

18 Sec. 103. Section 229A.9B, Code 2018, is amended to read as
19 follows:

20 **229A.9B Violations of release with ~~or without~~ supervision.**

21 1. If a committed person violates the release plan, the
22 agency with jurisdiction over the person may request the
23 ~~district~~ court to issue an emergency ex parte order directing
24 any law enforcement officer to take the person into custody
25 so that the person can be returned to a secure facility.
26 The request for an ex parte order may be made orally or by
27 telephone, but the original written request or a facsimile copy
28 of the request shall be filed with the clerk of court no later
29 than 4:30 p.m. on the next business day the office of the clerk
30 of court is open.

31 2. If a committed person has absconded in violation of the
32 conditions of the person's release plan, a presumption arises
33 that the person poses a risk to public safety. The department
34 of human services or contracting agency, in cooperation with
35 local law enforcement agencies, may make a public announcement

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1 about the absconder. The public announcement may include a
2 description of the committed person, that the committed person
3 is on release with ~~or without~~ supervision from the sexually
4 violent predator program, and any other information pertinent
5 to public safety.

6 3. Upon the return of the committed person to a secure
7 facility, the director of human services or the director's
8 designee shall notify the court that issued the ex parte
9 order that the committed person has been returned to a secure
10 facility, and the court shall set hearing ~~within five days~~ to
11 determine if a violation occurred. If a court order was not
12 issued, the director or the director's designee shall contact
13 the nearest district court with jurisdiction to set a hearing
14 to determine whether a violation of the conditions of the
15 release plan occurred. The court shall schedule a hearing
16 ~~within five days of~~ after receiving notice that the committed

17 person has been returned to a secure facility.

18 4. At the hearing, the burden shall be upon the attorney
19 general to show by a preponderance of the evidence that a
20 violation of the release plan occurred.

21 5. If the court determines a violation occurred, the court
22 shall receive release recommendations from the department of
23 human services and either order that the committed person be
24 returned to release with ~~or without~~ supervision or placed
25 in a transitional release program, or be confined in a
26 secure facility. The court may impose further conditions
27 upon the committed person if returned to release with ~~or~~
28 ~~without~~ supervision or placed in the transitional release
29 program. If the court determines no violation occurred, the
30 committed person shall be returned to release with ~~or without~~
31 supervision.

32 Sec. 104. Section 232.68, subsection 2, paragraph a,
33 subparagraph (3), Code 2018, is amended to read as follows:

34 (3) The commission of a sexual offense with or to a child
35 pursuant to chapter 709, section 726.2, or section 728.12,

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1 subsection 1, as a result of the acts or omissions of the
2 person responsible for the care of the child or of a person who
3 ~~is fourteen years of age or older and resides in a home with~~
4 the child. Notwithstanding section 702.5, the commission of
5 a sexual offense under this subparagraph includes any sexual
6 offense referred to in this subparagraph with or to a person
7 under the age of eighteen years.

8 Sec. 105. Section 232.68, subsection 2, paragraph a,
9 subparagraph (9), Code 2018, is amended to read as follows:

10 (9)(a) ~~Knowingly A person who is responsible for the~~
11 ~~care of a child knowingly allowing a person another person~~
12 ~~custody or of control of over, or unsupervised access to a~~
13 ~~child or minor child under the age of fourteen or a child with~~
14 ~~a physical or mental disability, after knowing the person~~
15 ~~other person is required to register or is on the sex offender~~
16 ~~registry under chapter 692A for a violation of section 726.6.~~

17 (b) ~~This subparagraph does not apply in any of the following~~
18 ~~circumstances:~~

19 (i) ~~A child living with a parent or guardian who is a sex~~
20 ~~offender required to register or on the sex offender registry~~
21 ~~under chapter 692A.~~

22 (ii) ~~A child living with a parent or guardian who is married~~
23 ~~to and living with a sex offender required to register or on~~
24 ~~the sex offender registry under chapter 692A.~~

25 (iii) ~~A child who is a sex offender required to register or~~
26 ~~on the sex offender registry under chapter 692A who is living~~
27 ~~with the child's parent, guardian, or foster parent and is also~~
28 ~~living with the child to whom access was allowed.~~

29 (c) ~~For purposes of this subparagraph, "control over" means~~
30 ~~any of the following:~~

- 31 (i) A person who has accepted, undertaken, or assumed
 32 supervision of a child from the parent or guardian of the
 33 child.
 34 (ii) A person who has undertaken or assumed temporary
 35 supervision of a child without explicit consent from the parent

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- 1 or guardian of the child.
 2 Sec. 106. Section 901A.2, subsection 6, Code 2018, is
 3 amended to read as follows:
 4 6. A person who has been placed in a transitional release
 5 program, released with ~~or without~~ supervision, or discharged
 6 pursuant to chapter 229A, and who is subsequently convicted of
 7 a sexually predatory offense or a sexually violent offense,
 8 shall be sentenced to life in prison on the same terms as
 9 a class "A" felon under section 902.1, notwithstanding any
 10 other provision of the Code to the contrary. The terms and
 11 conditions applicable to sentences for class "A" felons under
 12 chapters 901 through 909 shall apply to persons sentenced under
 13 this subsection. However, if the person commits a sexually
 14 violent offense which is a misdemeanor offense under chapter
 15 709, the person shall be sentenced to life in prison, with
 16 eligibility for parole as provided in chapter 906.

17 DIVISION XVII

18 MEDICAID RETROACTIVE ELIGIBILITY

- 19 Sec. 107. 2017 Iowa Acts, chapter 174, section 12,
 20 subsection 15, paragraph a, subparagraph (7), is amended to
 21 read as follows:
 22 (7)(a) Elimination of the three-month retroactive
 23 Medicaid coverage benefit for Medicaid applicants effective
 24 October 1, 2017. The department shall seek a waiver from
 25 the centers for Medicare and Medicaid services of the United
 26 States department of health and human services to implement
 27 the strategy. If federal approval is received, an applicant's
 28 Medicaid coverage shall be effective on the first day of the
 29 month of application, as allowed under the Medicaid state plan.
 30 (b) Effective July 1, 2018, a three-month retroactive
 31 Medicaid coverage benefit shall apply to a Medicaid applicant
 32 who is otherwise Medicaid-eligible and is a resident of a
 33 nursing facility licensed under chapter 135C. The department
 34 shall seek federal approval for any Medicaid waiver or state
 35 plan amendment necessary to implement this subparagraph (b).

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- 1 Sec. 108.EFFECTIVE DATE. This division of this Act, being
 2 deemed of immediate importance, takes effect upon enactment.
 3 DIVISION XVIII
 4 MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS
 5 Sec. 109.MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER
 6 OF FUNDS. Notwithstanding section 331.432, a county with a

7 population of over 300,000 based on the most recent federal
 8 decennial census, may transfer funds from any other fund of the
 9 county to the mental health and disability regional services
 10 fund for the purposes of providing mental health and disability
 11 services for the fiscal year beginning July 1, 2018, and
 12 ending June 30, 2019. The county shall submit a report to
 13 the governor and the general assembly by September 1, 2019,
 14 including the source of any funds transferred, the amount of
 15 the funds transferred, and the mental health and disability
 16 services provided with the transferred funds.

17 DIVISION XIX

18 MISCELLANEOUS TECHNICAL PROVISIONS

19 Sec. 110. Section 135.15, Code 2018, is amended to read as
 20 follows:

21 **135.15 Oral and health delivery system bureau established —**
 22 **responsibilities.**

23 An oral and health delivery system bureau is established
 24 within the division of health promotion and chronic disease
 25 prevention of the department. The bureau shall be responsible
 26 for all of the following:

- 27 1. Providing population-based oral health services,
 28 including public health training, improvement of dental support
 29 systems for families, technical assistance, awareness-building
 30 activities, and educational services, at the state and local
 31 level to assist Iowans in maintaining optimal oral health
 32 throughout all stages of life.
- 33 2. Performing infrastructure building and enabling services
 34 through the administration of state and federal grant programs
 35 targeting access improvement, prevention, and local oral

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1 health programs utilizing maternal and child health programs,
 2 Medicaid, and other new or existing programs.

3 3. Leveraging federal, state, and local resources for
 4 programs under the purview of the bureau.

5 4. Facilitating ongoing strategic planning and application
 6 of evidence-based research in oral health care policy
 7 development that improves oral health care access and the
 8 overall oral health of all Iowans.

9 5. Developing and implementing an ongoing oral health
 10 surveillance system for the evaluation and monitoring of
 11 the oral health status of children and other underserved
 12 populations.

13 6. Facilitating the provision of oral health services
 14 through dental homes. For the purposes of this section,
 15 “*dental home*” means a network of individualized care based on
 16 risk assessment, which includes oral health education, dental
 17 screenings, preventive services, diagnostic services, treatment
 18 services, and emergency services.

19 Sec. 111. Section 135.175, subsection 1, paragraph a, Code
 20 2018, is amended to read as follows:

21 a. A health care workforce support initiative is established
 22 to provide for the coordination and support of various efforts
 23 to address the health care workforce shortage in this state.
 24 This initiative shall include the medical residency training
 25 state matching grants program created in section 135.176,
 26 the nurse residency state matching grants program created in
 27 section 135.178, and the fulfilling Iowa's need for dentists
 28 matching grant program created in section 135.179.

29 Sec. 112. Section 135.175, subsection 5, Code 2018, is
 30 amended by adding the following new paragraph:
 31 NEW PARAGRAPH. b. The nurse residency state matching grants
 32 program account. The nurse residency state matching grants
 33 program account shall be under the control of the department
 34 and the moneys in the account shall be used for the purposes of
 35 the nurse residency state matching grants program as specified

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1 in section 135.178. Moneys in the account shall consist of
 2 moneys appropriated or allocated for deposit in or received
 3 by the fund or the account and specifically dedicated to the
 4 nurse residency state matching grants program account for the
 5 purposes of such account.

6 Sec. 113. Section 135.175, subsection 6, paragraph a, Code
 7 2018, is amended to read as follows:

8 a. Moneys in the fund and the accounts in the fund shall
 9 only be appropriated in a manner consistent with the principles
 10 specified and the strategic plan developed pursuant to section
 11 135.163 to support the medical residency training state
 12 matching grants program, the nurse residency state matching
 13 grants program, the fulfilling Iowa's need for dentists
 14 matching grant program, and to provide funding for state health
 15 care workforce shortage programs as provided in this section.

16 DIVISION XX

17 STATE TRAINING SCHOOL — ELDORA

18 Sec. 114. Section 233A.1, Code 2018, is amended to read as
 19 follows:

20 **233A.1 State training school — Eldora and Toledo.**

21 1. Effective January 1, 1992, a diagnosis and evaluation
 22 center and other units are established at Eldora the
 23 state training school to provide ~~to~~ court-committed
 24 male juvenile delinquents a program which focuses upon
 25 appropriate developmental skills, treatment, placements, and
 26 rehabilitation.

27 2. The diagnosis and evaluation center which is used to
 28 identify appropriate treatment and placement alternatives for
 29 juveniles and any other units for juvenile delinquents which
 30 are located at Eldora ~~and the unit for juvenile delinquents at~~
 31 ~~Toledo~~ shall ~~together~~ be known as the "state training school".
 32 For the purposes of this chapter "director" means the director
 33 of human services and "superintendent" means the administrator
 34 in charge of the diagnosis and evaluation center for juvenile

35 delinquents and other units at ~~Eldora and the unit for juvenile~~

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1 ~~delinquents at Toledo~~ the state training school.

2 3. The number of children present at any one time at the
3 state training school at ~~Eldora~~ shall not exceed the population
4 guidelines established under 1990 Iowa Acts, ch. 1239, §21, as
5 adjusted for subsequent changes in the capacity at the training
6 school.

7 Sec. 115. Section 233A.14, Code 2018, is amended to read as
8 follows:

9 **233A.14 Transfers to other institutions.**

10 The administrator may transfer to the ~~schools~~ state training
11 school minor wards of the state from any institution under the
12 administrator's charge but no person shall be so transferred
13 who is mentally ill or has an intellectual disability. Any
14 child in the ~~schools~~ state training school who is mentally ill
15 or has an intellectual disability may be transferred by the
16 administrator to the proper state institution.

17 Sec. 116. Section 915.29, subsection 1, unnumbered
18 paragraph 1, Code 2018, is amended to read as follows:

19 The department of human services shall notify a registered
20 victim regarding a juvenile adjudicated delinquent for a
21 violent crime, committed to the custody of the department of
22 human services, and placed at the state training school at
23 ~~Eldora or Toledo~~, of the following:

24 DIVISION XXI

25 GERIATRIC PATIENT HOUSING REVIEW

26 Sec. 117.GERIATRIC PATIENT HOUSING REVIEW.

27 1. During the 2018 legislative interim, the department
28 on aging and the departments of human services, inspections
29 and appeals, and corrections, cooperatively, shall review
30 issues and develop policy recommendations relating to housing
31 for geriatric persons, including geriatric individuals
32 who are registered on the sex offender registry or who are
33 sexually aggressive. The review shall address all aspects
34 of the issue including the feasibility of private entities
35 utilizing facilities located at Mount Pleasant, Clarinda,

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1 or other vacant, state-owned facilities to care for such
2 geriatric persons; related workforce recruitment and training;
3 requirements that a facility must meet in order to receive
4 Medicaid reimbursement; and any other information or issues
5 deemed appropriate by the agencies.

6 2. The agencies shall submit a joint report with
7 recommendations to the governor and general assembly by
8 December 15, 2018.

9 DIVISION XXII

10 DISTRIBUTION OF FEDERAL FUNDS — RESTRICTIONS — ABORTION

11 Sec. 118.DISTRIBUTION OF FEDERAL PUBLIC HEALTH SERVICES
 12 ACT FUNDS FOR FAMILY PLANNING.

13 1. The department of public health shall annually apply
 14 to the United States department of health and human services
 15 for grant funding under Tit. X of the federal Public Health
 16 Services Act, 42 U.S.C. §300 et seq. The department shall
 17 distribute all grant funding received to applicants in the
 18 following order of priority:

19 a. Public entities that provide family planning services
 20 including state, county, or local community health clinics and
 21 federally qualified health centers.

22 b. Nonpublic entities that, in addition to family planning
 23 services, provide required primary health services as described
 24 in 42 U.S.C. §254b(b)(1)(A).

25 c. Nonpublic entities that provide family planning
 26 services but do not provide required primary health services as
 27 described in 42 U.S.C. §254b(b)(1)(A).

28 2. Distribution of funds under this section shall be made in
 29 a manner that continues access to family planning services.

30 3. Distribution of funds shall not be made to any entity
 31 that performs abortions or that maintains or operates a
 32 facility where abortions are performed. For the purposes of
 33 this section, "abortion" does not include any of the following:

34 a. The treatment of a woman for a physical disorder,
 35 physical injury, or physical illness, including a

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1 life-endangering physical condition caused by or arising from
 2 the pregnancy itself, that would, as certified by a physician,
 3 place the woman in danger of death.

4 b. The treatment of a woman for a spontaneous abortion,
 5 commonly known as a miscarriage.

6 3A.a. For the purposes of this section, an entity that
 7 performs abortions or that maintains or operates a facility
 8 where abortions are performed shall not be interpreted to
 9 include a nonpublic entity that is a distinct location of
 10 a nonprofit health care delivery system, if the distinct
 11 location provides family planning services but does not perform
 12 abortions or maintain or operate as a facility where abortions
 13 are performed.

14 b. The department of public health shall adopt rules
 15 pursuant to chapter 17A to require that as a condition of
 16 receiving funds under this section, each distinct location of
 17 a nonprofit health care delivery system shall apply for and
 18 be awarded funds as a separate provider, shall be assigned a
 19 distinct provider identification number, and shall complete an
 20 attestation that abortions are not performed at the distinct
 21 location.

22 c. For the purposes of this section, "nonprofit health
 23 care delivery system" means an Iowa nonprofit corporation
 24 that controls, directly or indirectly, a regional health

25 care network consisting of hospital facilities and various
 26 ambulatory and clinic locations that provide a range of
 27 primary, secondary, and tertiary inpatient, outpatient, and
 28 physician services.

29 4. Funds distributed in accordance with this section shall
 30 not be used for direct or indirect costs, including but not
 31 limited to administrative costs or expenses, overhead, employee
 32 salaries, rent, and telephone and other utility costs, related
 33 to providing abortions as specified in this section.

34 5. The department of public health shall submit a report to
 35 the governor and the general assembly, annually by January 1,

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1 listing any entities that received funds pursuant to subsection
 2 1, paragraph "c", and the amount and type of funds received by
 3 such entities during the preceding calendar year. The report
 4 shall provide a detailed explanation of how the department
 5 determined that distribution of funds to such an entity,
 6 instead of to an entity described in subsection 1, paragraph
 7 "a" or "b", was necessary to prevent severe limitation or
 8 elimination of access to family planning services in the region
 9 of the state where the entity is located.

10 Sec. 119. ADMINISTRATION OF PERSONAL RESPONSIBILITY
 11 EDUCATION PROGRAM AND ABSTINENCE EDUCATION GRANT PROGRAM
 12 FUNDS. Any project period entered into on or after July 1,
 13 2018, by the department of public health to administer the
 14 personal responsibility education program as specified in
 15 42 U.S.C. §713 or to administer the abstinence education
 16 grant program authorized pursuant to section 510 of Tit.
 17 V of the federal Social Security Act, shall exclude as
 18 an eligible applicant any applicant entity that provides
 19 abortions, maintains or operates a facility where abortions
 20 are performed, or regularly makes referrals to an entity that
 21 provides abortions or maintains or operates a facility where
 22 abortions are performed. For the purposes of this section,
 23 such referrals include but are not limited to referrals made by
 24 reference to an internet site or by linking to an internet site
 25 maintained by an entity that provides abortions or maintains or
 26 operates a facility where abortions are performed.

27 Sec. 120. AWARD OF COMMUNITY ADOLESCENT PREGNANCY
 28 PREVENTION AND SERVICES PROGRAM GRANT FUNDS. Any project
 29 period entered into on or after July 1, 2018, by the department
 30 of human services to award a community adolescent pregnancy
 31 prevention and services program grant using federal temporary
 32 assistance for needy families block grant funds appropriated
 33 to the department shall exclude as an eligible applicant any
 34 applicant entity that provides abortions, maintains or operates
 35 a facility where abortions are performed, or regularly makes

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1 referrals to an entity that provides abortions or maintains or
 2 operates a facility where abortions are performed. For the
 3 purposes of this section, such referrals include but are not
 4 limited to referrals made by reference to an internet site or
 5 by linking to an internet site maintained by an entity that
 6 provides abortions or maintains or operates a facility where
 7 abortions are performed.

8 **DIVISION XXIII**

9 **WRONGFUL BIRTH OR WRONGFUL LIFE CAUSE OF ACTION**

10 **Sec. 121. NEW SECTION. 613.15B Wrongful birth or wrongful**
 11 **life cause of action — prohibitions — exceptions.**

12 1. A cause of action shall not arise and damages shall not
 13 be awarded, on behalf of any person, based on a wrongful birth
 14 claim that, but for an act or omission of the defendant, a
 15 child would not or should not have been born.

16 2. A cause of action shall not arise and damages shall not
 17 be awarded, on behalf of any person, based on a wrongful life
 18 claim that, but for an act or omission of the defendant, the
 19 person bringing the action would not or should not have been
 20 born.

21 3. The prohibitions specified in this section apply to any
 22 claim regardless of whether the child is born healthy or with a
 23 birth defect or disorder or other adverse medical condition.
 24 However, the prohibitions specified in this section shall not
 25 apply to any of the following:

26 *a.* A civil action for damages for an intentional or grossly
 27 negligent act or omission, including any act or omission that
 28 constitutes a public offense.

29 *b.* A civil action for damages for the intentional failure
 30 of a physician to comply with the duty imposed by licensure
 31 pursuant to chapter 148 to provide a patient with all
 32 information reasonably necessary to make decisions about a
 33 pregnancy.

34 **Sec. 122. EFFECTIVE DATE.** This division of this Act, being
 35 deemed of immediate importance, takes effect upon enactment.

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1 **Sec. 123. APPLICABILITY.** This division of this Act applies
 2 on or after the effective date of this division of this Act to
 3 causes of action that accrue on or after that date. A cause of
 4 action that accrues before the effective date of this division
 5 of this Act is governed by the law in effect prior to the
 6 effective date of this division of this Act.

7 **DIVISION XXIV**

8 **TRANSFERS OF FUNDS BETWEEN DHS INSTITUTIONS**

9 **Sec. 124.** Section 218.6, Code 2018, is amended to read as
 10 follows:

11 **218.6 Transfer of appropriations made to institutions.**

12 **1.** Notwithstanding section 8.39, subsection 1, without the

13 prior written consent and approval of the governor and the
 14 director of the department of management, the director of human
 15 services may transfer funds between the appropriations made for
 16 the institutions, listed as follows:

17 ~~1. a.~~ The state resource centers.

18 ~~2. b.~~ The state mental health institutes.

19 ~~3. c.~~ The state training school.

20 ~~4. d.~~ The civil commitment unit for sexual offenders.

21 2. The department shall report any transfer made pursuant
 22 to subsection 1 during a fiscal quarter to the legislative
 23 services agency within thirty days of the beginning of the
 24 subsequent fiscal quarter.

25 DIVISION XXV

26 MEDICAL CANNABIDIOL

27 Sec. 125. Section 124E.7, subsections 7 and 8, Code 2018,
 28 are amended to read as follows:

29 7. A medical cannabidiol manufacturer shall not employ
 30 a person who is under eighteen years of age or who has been
 31 convicted of a disqualifying felony offense. An employee
 32 of a medical cannabidiol manufacturer shall be subject to a
 33 background investigation conducted by the division of criminal
 34 investigation of the department of public safety and a national
 35 criminal history background check pursuant to section 124E.19.

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1 8. A medical cannabidiol manufacturer owner shall not have
 2 been convicted of a disqualifying felony offense and shall be
 3 subject to a background investigation conducted by the division
 4 of criminal investigation of the department of public safety
 5 and a national criminal history background check pursuant to
 6 section 124E.19.

7 Sec. 126. Section 124E.9, subsections 7 and 8, Code 2018,
 8 are amended to read as follows:

9 7. A medical cannabidiol dispensary shall not employ a
 10 person who is under eighteen years of age or who has been
 11 convicted of a disqualifying felony offense. An employee
 12 of a medical cannabidiol dispensary shall be subject to a
 13 background investigation conducted by the division of criminal
 14 investigation of the department of public safety and a national
 15 criminal history background check pursuant to section 124E.19.

16 8. A medical cannabidiol dispensary owner shall not have
 17 been convicted of a disqualifying felony offense and shall be
 18 subject to a background investigation conducted by the division
 19 of criminal investigation of the department of public safety
 20 and a national criminal history background check pursuant to
 21 section 124E.19.

22 Sec. 127. Section 124E.10, Code 2018, is amended by striking
 23 the section and inserting in lieu thereof the following:

24 **124E.10 Fees.**

25 All fees collected by the department under this chapter
 26 shall be retained by the department for operation of the

27 medical cannabidiol registration card program and the medical
 28 cannabidiol manufacturer and medical cannabidiol dispensary
 29 licensing programs. The moneys retained by the department
 30 shall be considered repayment receipts as defined in section
 31 8.2 and shall be used for any of the department's duties
 32 under this chapter, including but not limited to the addition
 33 of full-time equivalent positions for program services and
 34 investigations. Notwithstanding section 8.33, moneys retained
 35 by the department pursuant to this section shall not revert to

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1 the general fund of the state but shall remain available for
 2 expenditure only for the purposes specified in this section.
 3 **Sec. 128. NEW SECTION. 124E.19 Background investigations.**
 4 1. The division of criminal investigation of the
 5 department of public safety shall conduct thorough
 6 background investigations for the purposes of licensing
 7 medical cannabidiol manufacturers and medical cannabidiol
 8 dispensaries under this chapter. The results of any background
 9 investigation conducted pursuant to this section shall be
 10 presented to the department.
 11 *a.* An applicant for a medical cannabidiol manufacturer
 12 license or a medical cannabidiol dispensary license and their
 13 owners, investors, and employees shall submit all required
 14 information on a form prescribed by the department of public
 15 safety.
 16 *b.* The department shall charge an applicant for a medical
 17 cannabidiol manufacturer license or a medical cannabidiol
 18 dispensary license a fee determined by the department of public
 19 safety and adopted by the department by rule to defray the
 20 costs associated with background investigations conducted
 21 pursuant to the requirements of this section. The fee shall
 22 be in addition to any other fees charged by the department.
 23 The fee may be retained by the department of public safety and
 24 shall be considered repayment receipts as defined in section
 25 8.2.
 26 2. The department shall require an applicant for a medical
 27 cannabidiol manufacturer license or a medical cannabidiol
 28 dispensary license, their owners and investors, and applicants
 29 for employment at a medical cannabidiol manufacturer or
 30 medical cannabidiol dispensary to submit fingerprints and other
 31 required identifying information to the department on a form
 32 prescribed by the department of public safety. The department
 33 shall submit the fingerprint cards and other identifying
 34 information to the division of criminal investigation of the
 35 department of public safety for submission to the federal

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1 bureau of investigation for the purpose of conducting a
 2 national criminal history record check. The department may

3 require employees and contractors involved in carrying out
 4 a background investigation to submit fingerprints and other
 5 identifying information for the same purpose.
 6 3. The department may enter into a chapter 28E agreement
 7 with the department of public safety to meet the requirements
 8 of this section.

9 4. An applicant for a medical cannabidiol manufacturer
 10 license or a medical cannabidiol dispensary license shall
 11 submit information and fees required by this section at the
 12 time of application.

13 5. The results of background investigations conducted
 14 pursuant to this section shall not be considered public records
 15 under chapter 22.

16 Sec. 129.EFFECTIVE UPON ENACTMENT. This division of this
 17 Act, being deemed of immediate importance, takes effect upon
 18 enactment.

19 DIVISION XXVI

20 DEPARTMENT OF HUMAN SERVICES PROGRAMS AND ACTIVITIES 21 INMATES OF PUBLIC INSTITUTIONS — MEDICAID

22 Sec. 130. Section 249A.38, Code 2018, is amended to read as
 23 follows:

24 **249A.38 Inmates of public institutions — suspension or 25 termination of medical assistance.**

26 1. ~~The following conditions shall apply to~~ Following the
 27 first thirty days of commitment, the department shall suspend
 28 the eligibility of an individual who is an inmate of a public
 29 institution as defined in 42 C.F.R. §435.1010, who is enrolled
 30 in the medical assistance program at the time of commitment to
 31 the public institution, and who remains eligible for medical
 32 assistance as an individual except for the individual's
 33 institutional status:

34 ~~a. The department shall suspend the individual's~~
 35 ~~eligibility for up to the initial twelve months of the period~~

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1 ~~of commitment. The department shall delay the suspension~~
 2 ~~of eligibility for a period of up to the first thirty days~~
 3 ~~of commitment if such delay is approved by the centers for~~
 4 ~~Medicare and Medicaid services of the United States department~~
 5 ~~of health and human services. If such delay is not approved,~~
 6 ~~the department shall suspend eligibility during the entirety~~
 7 ~~of the initial twelve months of the period of commitment.~~
 8 ~~Claims submitted on behalf of the individual under the medical~~
 9 ~~assistance program for covered services provided during the~~
 10 ~~delay period shall only be reimbursed if federal financial~~
 11 ~~participation is applicable to such claims.~~

12 ~~b. The department shall terminate an individual's~~
 13 ~~eligibility following a twelve-month period of suspension~~
 14 ~~of the individual's eligibility under paragraph "a", during~~
 15 ~~the period of the individual's commitment to the public~~
 16 ~~institution.~~

17 2.a. A public institution shall provide the department and
 18 the social security administration with a monthly report of the
 19 individuals who are committed to the public institution and of
 20 the individuals who are discharged from the public institution.
 21 The monthly report to the department shall include the date
 22 of commitment or the date of discharge, as applicable, of
 23 each individual committed to or discharged from the public
 24 institution during the reporting period. The monthly report
 25 shall be made through the reporting system created by the
 26 department for public, nonmedical institutions to report inmate
 27 populations. Any medical assistance expenditures, including
 28 but not limited to monthly managed care capitation payments,
 29 provided on behalf of an individual who is an inmate of a
 30 public institution but is not reported to the department
 31 in accordance with this subsection, shall be the financial
 32 responsibility of the respective public institution.
 33 b. The department shall provide a public institution with
 34 the forms necessary to be used by the individual in expediting
 35 restoration of the individual's medical assistance benefits

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1 upon discharge from the public institution.
 2 3. ~~This section applies to individuals as specified in~~
 3 ~~subsection 1 on or after January 1, 2012.~~
 4 4. 3. The department may adopt rules pursuant to chapter
 5 17A to implement this section.
 6 MEDICAID PROGRAM ADMINISTRATION
 7 Sec. 131.MEDICAID PROGRAM ADMINISTRATION.
 8 1. PROVIDER PROCESSES AND PROCEDURES.
 9 a. When all of the required documents and other information
 10 necessary to process a claim have been received by a managed
 11 care organization, the managed care organization shall
 12 either provide payment to the claimant within the timelines
 13 specified in the managed care contract or, if the managed
 14 care organization is denying the claim in whole or in part,
 15 shall provide notice to the claimant including the reasons for
 16 such denial consistent with national industry best practice
 17 guidelines.
 18 b. A managed care organization shall correct any identified
 19 system configuration error within a reasonable time frame
 20 approved by the department, and shall fully and accurately
 21 reprocess claims affected by such errors within thirty days
 22 of the successful system correction. The department shall
 23 define "system configuration error" as appropriate to include
 24 errors in provider data caused by a managed care organization
 25 or improper claims edits that result in incorrect payments to
 26 providers.
 27 c. A managed care organization shall provide written notice
 28 to affected individuals at least sixty days prior to making
 29 any program or procedural change, as determined necessary by
 30 the department. The department shall develop and distribute a

31 list of the types of changes that require the sixty-day notice
32 to the managed care organizations effective July 1, 2018.
33 Such changes may include but are not limited to billing and
34 collection provisions, provider network provisions, member or
35 provider services, and prior authorization requirements.

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1 d. The department of human services shall engage dedicated
2 provider relations staff to assist Medicaid providers in
3 resolving billing conflicts with managed care organizations
4 including those involving denied claims, technical omissions,
5 or incomplete information. If the provider relations staff
6 observe trends evidencing fraudulent claims or improper
7 reimbursement, the staff shall forward such evidence to the
8 department of human services for further review.

9 e. The department of human services shall adopt rules
10 pursuant to chapter 17A to require the inclusion by a managed
11 care organization of advanced registered nurse practitioners
12 and physician assistants as primary care providers for the
13 purposes of population health management.

14 f. The department of human services shall provide for the
15 development and shall require the use of standardized Medicaid
16 provider enrollment forms to be used by the department and
17 uniform Medicaid provider credentialing specifications to be
18 used by managed care organizations.

19 2. MEMBER SERVICES AND PROCESSES.

20 a. If a Medicaid member is receiving court-ordered services
21 or treatment for a substance-related disorder pursuant to
22 chapter 125 or for a mental illness pursuant to chapter 229,
23 such services or treatment shall be provided and reimbursed
24 for an initial period of three days before a managed care
25 organization may apply medical necessity criteria to determine
26 the most appropriate services, treatment, or placement for the
27 Medicaid member.

28 b. The department of human services shall maintain and
29 update Medicaid member eligibility files in a timely manner
30 consistent with national industry best practices.

31 c. The department of human services shall utilize an
32 independent, external quality review vendor to complete a
33 review of a random case sample of decreased level of care
34 determinations using national best practices to ensure that
35 appropriate medically necessary services are provided to

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1 meet Medicaid member needs. The department shall report the
2 findings of the review to the governor and the general assembly
3 by December 15, 2018, including any plan necessary to address
4 the findings.

5 d. The department of human services, on an annual basis,
6 shall conduct an analysis of all Medicaid member appeals that

7 have been dismissed, withdrawn, or overturned to determine
8 if there are any negative patterns or trends based on the
9 analysis. The services of any member whose appeal is subject
10 to the analysis shall continue for the period during which an
11 interdisciplinary team conducts a new assessment to determine
12 which services are medically necessary for that member, which
13 period shall not exceed ninety days. A report of the analysis
14 and findings shall be submitted to the governor and the general
15 assembly on a biannual basis and the department shall develop a
16 plan as necessary to address any negative patterns or trends
17 identified by the analysis.

18 3. MEDICAID PROGRAM REVIEW AND OVERSIGHT.

19 a.(1) The department of human services shall facilitate a
20 workgroup, in collaboration with representatives of the managed
21 care organizations and health home providers, to review the
22 health home programs. The review shall include all of the
23 following:

24 (a) An analysis of the state plan amendments applicable to
25 health homes.

26 (b) An analysis of the current health home system, including
27 the rationale for any recommended changes.

28 (c) The development of a clear and consistent delivery
29 model linked to program-determined outcomes and data reporting
30 requirements.

31 (d) A work plan to be used in communicating with
32 stakeholders regarding the administration and operation of the
33 health home programs.

34 (2) The department of human services shall submit a
35 report of the workgroup's findings, recommendations, and

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1 any actions taken by December 15, 2018, to the governor and
2 to the Eighty-eighth General Assembly, 2019 session, for
3 consideration.

4 (3) The workgroup and the workgroup's activities shall
5 not affect the department's authority to apply or enforce the
6 Medicaid state plan amendment relative to health homes.

7 b. The department of human services, in collaboration
8 with Medicaid providers and managed care organizations, shall
9 initiate a review process to determine the effectiveness of
10 prior authorizations used by the managed care organizations
11 with the goal of making adjustments based on relevant
12 service costs and member outcomes data utilizing existing
13 industry-accepted standards. Prior authorization policies
14 shall comply with existing rules, guidelines, and procedures
15 developed by the centers for Medicare and Medicaid services of
16 the United States department of health and human services.

17 c. The department of human services shall enter into a
18 contract with an independent review organization to perform
19 an audit of a random sample of small dollar claims paid to
20 or denied Medicaid long-term services and supports providers

21 during the first quarter of the 2018 calendar year. The
 22 department of human services shall submit a report of
 23 the findings of the audit to the governor and the general
 24 assembly by February 1, 2019. The department may take any
 25 action specified in the managed care contract relative to
 26 any claim the auditor determines to be incorrectly paid or
 27 denied, subject to appeal by the managed care organization
 28 to the director of human services. For the purposes of this
 29 paragraph, “small dollar claims” means those claims less than
 30 or equal to two thousand five hundred dollars.

31 MEDICAID PROGRAM PHARMACY COPAYMENT
 32 Sec. 132. 2005 Iowa Acts, chapter 167, section 42, is
 33 amended to read as follows:
 34 SEC. 42.COPAYMENTS FOR PRESCRIPTION DRUGS UNDER THE
 35 MEDICAL ASSISTANCE PROGRAM. The department of human services

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1 shall require recipients of medical assistance to pay the
 2 following copayments a copayment of \$1 on each prescription
 3 filled for a covered prescription drug, including each refill
 4 of such prescription, as follows:

- 5 1. A copayment of \$1 on each prescription filled for each
 6 covered nonpreferred generic prescription drug.
- 7 2. A copayment of \$1 for each covered preferred brand-name
 8 or generic prescription drug.
- 9 3. A copayment of \$1 for each covered nonpreferred
 10 brand-name prescription drug for which the cost to the state is
 11 up to and including \$25.
- 12 4. A copayment of \$2 for each covered nonpreferred
 13 brand-name prescription drug for which the cost to the state is
 14 more than \$25 and up to and including \$50.
- 15 5. A copayment of \$3 for each covered nonpreferred
 16 brand-name prescription drug for which the cost to the state
 17 is more than \$50.

18 MEDICAL ASSISTANCE ADVISORY COUNCIL
 19 Sec. 133. Section 249A.4B, subsection 2, paragraph a,
 20 subparagraphs (27) and (28), Code 2018, are amended by striking
 21 the subparagraphs.
 22 Sec. 134.MEDICAL ASSISTANCE ADVISORY COUNCIL — REVIEW OF
 23 MEDICAID MANAGED CARE REPORT DATA. The executive committee
 24 of the medical assistance advisory council shall review
 25 the data collected and analyzed for inclusion in periodic
 26 reports to the general assembly, including but not limited
 27 to the information and data specified in 2016 Iowa Acts,
 28 chapter 1139, section 93, to determine which data points and
 29 information should be included and analyzed to more accurately
 30 identify trends and issues with, and promote the effective and
 31 efficient administration of, Medicaid managed care for all
 32 stakeholders. At a minimum, the areas of focus shall include
 33 consumer protection, provider network access and safeguards,
 34 outcome achievement, and program integrity. The executive

35 committee shall report its findings and recommendations to the

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1 medical assistance advisory council for review and comment by
 2 October 1, 2018, and shall submit a final report of findings
 3 and recommendations to the governor and the general assembly by
 4 December 31, 2018.

5 TARGETED CASE MANAGEMENT AND INPATIENT PSYCHIATRIC SERVICES
 6 REIMBURSEMENT

7 Sec. 135. Section 249A.31, Code 2018, is amended to read as
 8 follows:

9 **249A.31 Cost-based reimbursement.**

10 1. Providers of individual case management services for
 11 persons with an intellectual disability, a developmental
 12 disability, or chronic mental illness shall receive cost-based
 13 reimbursement for one hundred percent of the reasonable
 14 costs for the provision of the services in accordance with
 15 standards adopted by the mental health and disability services
 16 commission pursuant to section 225C.6. Effective July 1, 2018,
 17 targeted case management services shall be reimbursed based
 18 on a statewide fee schedule amount developed by rule of the
 19 department pursuant to chapter 17A.

20 2. Effective July 1, 2010 2014, the department shall apply
 21 a cost-based reimbursement methodology for reimbursement of
 22 psychiatric medical institution for children providers of
 23 inpatient psychiatric services for individuals under twenty-one
 24 years of age shall be reimbursed as follows:

25 a. For non-state-owned providers, services shall be
 26 reimbursed according to a fee schedule without reconciliation.

27 b. For state-owned providers, services shall be reimbursed
 28 at one hundred percent of the actual and allowable cost of
 29 providing the service.

30 DIVISION XXVII

31 PREAPPLICATION SCREENING ASSESSMENT

32 Sec. 136. Section 229.5A, Code 2018, is amended to read as
 33 follows:

34 **229.5A Preapplication screening assessment — program.**

35 Prior to filing an application pursuant to section 229.6,

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1 the clerk of the district court or the clerk's designee
 2 shall inform the interested person referred to in section
 3 229.6, subsection 1, about the option of requesting a
 4 preapplication screening assessment through a preapplication
 5 screening assessment program, if available. ~~The state court~~
 6 ~~administrator shall prescribe practices and procedures for~~
 7 ~~implementation of the preapplication screening assessment~~
 8 ~~program.~~

9 Sec. 137. Section 602.1209, subsection 16, Code 2018, is
 10 amended to read as follows:

11 16. Prescribe practices and procedures for the
 12 implementation of the preapplication screening assessment
 13 program referred to in sections section 125.74 and 229.5A.

14 DIVISION XXVIII

15 COVERAGE OF BEHAVIORAL HEALTH SERVICES PROVIDED BY CERTAIN
 16 PROVIDERS

17 Sec. 138. Section 249A.15, Code 2018, is amended to read as
 18 follows:

19 **249A.15 Licensed psychologists eligible for payment —**
 20 **provisional licensees.**

21 1. The department shall adopt rules pursuant to chapter
 22 17A entitling psychologists who are licensed pursuant to
 23 chapter 154B and psychologists who are licensed in the state
 24 where the services are provided and have a doctorate degree
 25 in psychology, have had at least two years of clinical
 26 experience in a recognized health setting, or have met the
 27 standards of a national register of health service providers
 28 in psychology, to payment for services provided to recipients
 29 of medical assistance, subject to limitations and exclusions
 30 the department finds necessary on the basis of federal laws and
 31 regulations and of funds available for the medical assistance
 32 program. The rules shall also provide that an individual, who
 33 holds a provisional license to practice psychology pursuant
 34 to section 154B.6, is entitled to payment under this section
 35 for services provided to recipients of medical assistance.

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1 when such services are provided under the supervision of a
 2 supervisor who meets the qualifications determined by the board
 3 of psychology by rule, and claims for payment for such services
 4 are submitted by the supervisor.

5 2. Entitlement to payment under this section is applicable
 6 to services provided to recipients of medical assistance
 7 under both the fee-for-service and managed care payment and
 8 delivery systems. Neither the fee-for-service nor the managed
 9 care payment and delivery system shall impose a practice
 10 or supervision restriction which is inconsistent with or
 11 more restrictive than the authority already granted by law,
 12 including the authority to provide supervision in person or
 13 remotely through electronic means as specified by rule of the
 14 board of psychology.

15 Sec. 139. Section 249A.15A, Code 2018, is amended to read
 16 as follows:

17 **249A.15A Licensed marital and family therapists, licensed**
 18 **master social workers, licensed mental health counselors, and**
 19 **certified alcohol and drug counselors — temporary licensees.**

20 1. The department shall adopt rules pursuant to chapter
 21 17A entitling marital and family therapists who are licensed
 22 pursuant to chapter 154D to payment for behavioral health
 23 services provided to recipients of medical assistance, subject
 24 to limitations and exclusions the department finds necessary

25 on the basis of federal laws and regulations. The rules shall
26 also provide that a marital and family therapist, who holds
27 a temporary license to practice marital and family therapy
28 pursuant to section 154D.7, is entitled to payment under this
29 section for behavioral health services provided to recipients
30 of medical assistance, when such services are provided under
31 the supervision of a qualified supervisor as determined by the
32 board of behavioral science by rule, and claims for payment for
33 such services are submitted by the qualified supervisor.

34 2. The department shall adopt rules pursuant to chapter
35 17A entitling master social workers who hold a master's

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1 degree approved by the board of social work, are licensed as
2 a master social worker pursuant to section 154C.3, subsection
3 1, paragraph "b", and provide treatment services under the
4 supervision of an independent social worker licensed pursuant
5 to section 154C.3, subsection 1, paragraph "c", to payment
6 for behavioral health services provided to recipients of
7 medical assistance, subject to limitations and exclusions the
8 department finds necessary on the basis of federal laws and
9 regulations.

10 3. The department shall adopt rules pursuant to chapter 17A
11 entitling mental health counselors who are licensed pursuant
12 to chapter 154D to payment for behavioral health services
13 provided to recipients of medical assistance, subject to
14 limitations and exclusions the department finds necessary on
15 the basis of federal laws and regulations. The rules shall
16 also provide that a mental health counselor, who holds a
17 temporary license to practice mental health counseling pursuant
18 to section 154D.7, is entitled to payment under this section
19 for behavioral health services provided to recipients of
20 medical assistance, when such services are provided under the
21 supervision of a qualified supervisor as determined by the
22 board of behavioral science by rule, and claims for payment for
23 such services are submitted by the qualified supervisor.

24 4. The department shall adopt rules pursuant to chapter 17A
25 entitling alcohol and drug counselors who are certified by the
26 nongovernmental Iowa board of substance abuse certification to
27 payment for behavioral health services provided to recipients
28 of medical assistance, subject to limitations and exclusions
29 the department finds necessary on the basis of federal laws and
30 regulations.

31 5. Entitlement to payment under this section is applicable
32 to services provided to recipients of medical assistance
33 under both the fee-for-service and managed care payment and
34 delivery systems. Neither the fee-for-service nor the managed
35 care payment and delivery system shall impose a practice

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1 or supervision restriction which is inconsistent with or
2 more restrictive than the authority already granted by law,
3 including the authority to provide supervision in person or
4 remotely through electronic means as specified by rule of the
5 applicable licensing board.

6 Sec. 140.~~NEW SECTION.~~ **514C.32 Services provided by**
7 **certain licensed master social workers, licensed mental health**
8 **counselors, and licensed marital and family therapists.**

9 1. Notwithstanding section 514C.6, a policy or contract
10 providing for third-party payment or prepayment of health or
11 medical expenses shall include a provision for the payment of
12 necessary behavioral health services provided by any of the
13 following:

14 a. A licensed master social worker who is licensed by the
15 board of social work as a master social worker pursuant to
16 section 154C.3, subsection 1, paragraph "b", and who provides
17 services under the supervision of an independent social worker
18 licensed pursuant to section 154C.3, subsection 1, paragraph
19 "c".

20 b. A licensed mental health counselor or a licensed
21 marital and family therapist who holds a temporary license to
22 practice mental health counseling or marital and family therapy
23 pursuant to section 154D.7, and who provides services under
24 the supervision of a qualified supervisor as determined by the
25 board of behavioral science by rule.

26 2. A policy or contract subject to this section shall
27 not impose a practice or supervision restriction which is
28 inconsistent with or more restrictive than the authority
29 already granted by law, including the authority to provide
30 supervision in person or remotely through electronic means as
31 specified by rule of the applicable licensing board.

32 3. The requirements of this section apply to and supersede
33 any conflicting requirements regarding services provided under
34 a policy or contract, which is delivered, issued for delivery,
35 continued, or renewed in this state on or after the effective

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1 date of this Act, and apply to and supersede any conflicting
2 requirements regarding services contained in an existing policy
3 or contract on the policy's or contract's anniversary or
4 renewal date, whichever is later.

5 4. For the purposes of this section, third-party payment or
6 prepayment includes an individual or group policy of accident
7 or health insurance or individual or group hospital or health
8 care service contract issued pursuant to chapter 509, 514, or
9 514A, an individual or group health maintenance organization
10 contract issued and regulated under chapter 514B, or a
11 preferred provider organization contract regulated pursuant to
12 chapter 514F.

13 5. Nothing in this section shall be interpreted to require
14 an individual or group health maintenance organization or a
15 preferred provider organization or arrangement to provide
16 payment or prepayment for services provided by a licensed
17 master social worker providing behavioral health services
18 under the supervision of an independent social worker, or to
19 a licensed mental health counselor or licensed marital and
20 family therapist who holds a temporary license to practice
21 mental health counseling or marital and family therapy
22 providing behavioral health services under the supervision of
23 a qualified supervisor, as specified in this section, unless
24 the supervising independent social worker or the qualified
25 supervisor, respectively, has entered into a contract or other
26 agreement to provide behavioral health services with the
27 individual or group health maintenance organization or the
28 preferred provider organization or arrangement.

29 **Sec. 141. NEW SECTION. 514C.33 Services provided by**
30 **provisionally licensed psychologists.**

31 1. Notwithstanding section 514C.6, a policy or contract
32 providing for third-party payment or prepayment of health or
33 medical expenses shall include a provision for the payment of
34 necessary behavioral health services provided by a person who
35 holds a provisional license to practice psychology pursuant to

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1 section 154B.6, and who practices under the supervision of a
2 supervisor who meets the qualifications determined by the board
3 of psychology by rule.

4 2. A policy or contract subject to this section shall
5 not impose a practice or supervision restriction which is
6 inconsistent with or more restrictive than the authority
7 already granted by law, including the authority to provide
8 supervision in person or remotely through electronic means as
9 specified by rule of the board of psychology.

10 3. The requirements of this section apply to and supersede
11 any conflicting requirements regarding services provided under
12 a policy or contract which is delivered, issued for delivery,
13 continued, or renewed in this state on or after the effective
14 date of this Act, and apply to and supersede any conflicting
15 requirements regarding services contained in an existing policy
16 or contract on the policy's or contract's anniversary or
17 renewal date, whichever is later.

18 4. For the purposes of this section, third-party payment or
19 prepayment includes an individual or group policy of accident
20 or health insurance or individual or group hospital or health
21 care service contract issued pursuant to chapter 509, 514, or
22 514A, an individual or group health maintenance organization
23 contract issued and regulated under chapter 514B, or a
24 preferred provider organization contract regulated pursuant to
25 chapter 514F.

26 5. Nothing in this section shall be interpreted to require

27 an individual or group health maintenance organization or a
 28 preferred provider organization or arrangement to provide
 29 payment or prepayment for services provided by a provisionally
 30 licensed psychologist providing behavioral health services
 31 under the supervision of a supervisor as specified in this
 32 section, unless the supervisor has entered into a contract or
 33 other agreement to provide behavioral health services with the
 34 individual or group health maintenance organization or the
 35 preferred provider organization or arrangement.

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1 Sec. 142.EFFECTIVE DATE. This division of this Act, being
 2 deemed of immediate importance, takes effect upon enactment.

3 DIVISION XXIX

4 PHARMACY BENEFITS MANAGER — RIGHTS OF COVERED INDIVIDUALS

5 Sec. 143.NEW SECTION. **510B.10 Rights related to covered**
 6 **individuals.**

7 1. A pharmacy or pharmacist, as defined in section 155A.3,
 8 has the right to provide a covered individual information
 9 regarding the amount of the covered individual's cost share
 10 for a prescription drug. A pharmacy benefits manager shall
 11 not prohibit a pharmacy or pharmacist from discussing any such
 12 information or from selling a more affordable alternative to
 13 the covered individual, if one is available.

14 2. A health benefit plan, as defined in section 514J.102,
 15 issued or renewed on or after July 1, 2018, that provides
 16 coverage for pharmacy benefits shall not require a covered
 17 individual to pay a copayment for pharmacy benefits that
 18 exceeds the pharmacy's or pharmacist's submitted charges.

19 3. Any amount paid by a covered individual for a covered
 20 prescription drug pursuant to this section shall be applied
 21 toward any deductible imposed by the covered individual's
 22 health benefit plan in accordance with the covered individual's
 23 health benefit plan coverage documents.

24 4. To the extent that any provision of this section is
 25 inconsistent or conflicts with applicable federal law, rule,
 26 or regulation, such federal law, rule, or regulation shall
 27 prevail to the extent necessary to eliminate the inconsistency
 28 or conflict.>

HEATON of Henry

H-8500

1 Amend the amendment, H-8476, to House File 2489 as follows:

2 1. By striking page 1, line 1, through page 149, line 20,
 3 and inserting:

4 <Amend House File 2489 as follows:

5 1. By striking everything after the enacting clause and
 6 inserting:

7 <DIVISION I

8 INTEREST ACCRUAL ON CERTAIN TAX REFUNDS

9 Section 1. Section 15.335, subsection 8, Code 2018, is
10 amended to read as follows:

11 8. Any credit in excess of the tax liability for the
12 taxable year shall be refunded with interest ~~computed under~~
13 ~~section 422.25~~ in accordance with section 421.60, subsection
14 2, paragraph "e". In lieu of claiming a refund, a taxpayer may
15 elect to have the overpayment shown on its final, completed
16 return credited to the tax liability for the following year.

17 Sec. 2. ~~NEW SECTION.~~ **421.6 Definition of return.**

18 For purposes of this title, unless the context otherwise
19 requires, "return" means any tax or information return,
20 amended return, declaration of estimated tax, or claim for
21 refund that is required by, provided for, or permitted under,
22 the provisions of this title and which is filed with the
23 department by, on behalf of, or with respect to any person.
24 "Return" includes any amendment or supplement to these items,
25 including supporting schedules, attachments, or lists which are
26 supplemental to or part of the filed return.

27 Sec. 3. Section 421.60, subsection 2, paragraph e, Code
28 2018, is amended to read as follows:

29 e. ~~Unless otherwise provided by law, all~~ All Iowa taxes
30 which are administered by the department and which result in
31 a refund shall accrue interest at the rate in effect under
32 section 421.7 from the first day of the second calendar month
33 following the date of payment or the date the return upon
34 which the refund is claimed was due to be filed, including any
35 extensions, or was filed, whichever is the latest.

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1 Sec. 4. Section 422.10, subsection 4, Code 2018, is amended
2 to read as follows:

3 4. Any credit in excess of the tax liability imposed by
4 section 422.5 less the amounts of nonrefundable credits allowed
5 under this division for the taxable year shall be refunded
6 with interest ~~computed under section 422.25~~ in accordance
7 with section 421.60, subsection 2, paragraph "e". In lieu of
8 claiming a refund, a taxpayer may elect to have the overpayment
9 shown on the taxpayer's final, completed return credited to the
10 tax liability for the following taxable year.

11 Sec. 5. Section 422.16, subsection 9, Code 2018, is amended
12 to read as follows:

13 9. The amount of any overpayment of the individual income
14 tax liability of the employee taxpayer, nonresident, or other
15 person which may result from the withholding and payment of
16 withheld tax by the employer or withholding agent to the
17 department under subsections 1 and 12, as compared to the
18 individual income tax liability of the employee taxpayer,
19 nonresident, or other person properly and correctly determined
20 under the provisions of section 422.4, to and including section
21 422.25, may be credited against any income tax or installment

22 thereof then due the state of Iowa and any balance of one
23 dollar or more shall be refunded to the employee taxpayer,
24 nonresident, or other person with interest ~~at the rate in~~
25 ~~effect under section 421.7 for each month or fraction of a~~
26 ~~month, the interest to begin to accrue on the first day of~~
27 ~~the second calendar month following the date the return was~~
28 ~~due to be filed or was filed, whichever is the later date~~
29 in accordance with section 421.60, subsection 2, paragraph
30 “e”. Amounts less than one dollar shall be refunded to the
31 taxpayer, nonresident, or other person only upon written
32 application, in accordance with section 422.73, and only if
33 the application is filed within twelve months after the due
34 date of the return. Refunds in the amount of one dollar
35 or more provided for by this subsection shall be paid by

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1 the treasurer of state by warrants drawn by the director of
2 the department of administrative services, or an authorized
3 employee of the department, and the taxpayer's return of
4 income shall constitute a claim for refund for this purpose,
5 except in respect to amounts of less than one dollar. There
6 is appropriated, out of any funds in the state treasury not
7 otherwise appropriated, a sum sufficient to carry out the
8 provisions of this subsection.

9 Sec. 6. Section 422.25, subsection 3, Code 2018, is amended
10 to read as follows:

11 3.a. If the amount of the tax as determined by the
12 department is less than the amount paid, the excess shall be
13 refunded with interest, ~~the interest to begin to accrue on the~~
14 ~~first day of the second calendar month following the date of~~
15 ~~payment or the date the return was due to be filed, or the~~
16 ~~extended due date by which the return was due to be filed if~~
17 ~~ninety percent of the tax was paid by the original due date,~~
18 ~~or was filed, whichever is the latest, at the rate in effect~~
19 ~~under section 421.7 counting each fraction of a month as an~~
20 ~~entire month under the rules prescribed by the director. If~~
21 ~~an overpayment of tax results from a net operating loss or~~
22 ~~net capital loss which is carried back to a prior year, the~~
23 ~~overpayment, for purposes of computing interest on refunds,~~
24 ~~shall be considered as having been made on the date a claim~~
25 ~~for refund or amended return carrying back the net operating~~
26 ~~loss or net capital loss is filed with the department or on the~~
27 ~~first day of the second calendar month following the date of~~
28 ~~the actual payment of the tax, whichever is later. However, in~~
29 accordance with section 421.60, subsection 2, paragraph “e”.

30 b. Notwithstanding section 421.60, subsection 2, paragraph
31 “e”, and paragraph “a” of this subsection, when the net
32 operating loss or net capital loss carryback to a prior year
33 eliminates or reduces an underpayment of tax due for an earlier
34 year, the full amount of the underpayment of tax shall bear
35 interest at the rate in effect under section 421.7 for each

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1 month counting each fraction of a month as an entire month from
2 the due date of the tax for the earlier year to the last day of
3 the taxable year in which the net operating loss or net capital
4 loss occurred.

5 Sec. 7. Section 422.28, Code 2018, is amended to read as
6 follows:

7 **422.28 Revision of tax.**

8 A taxpayer may appeal to the director for revision of
9 the tax, interest, or penalties assessed at any time within
10 sixty days from the date of the notice of the assessment of
11 tax, additional tax, interest, or penalties. The director
12 shall grant a hearing and if, upon the hearing, the director
13 determines that the tax, interest, or penalties are excessive
14 or incorrect, the director shall revise them according to
15 the law and the facts and adjust the computation of the tax,
16 interest, or penalties accordingly. The director shall notify
17 the taxpayer by mail of the result of the hearing and shall
18 refund to the taxpayer the amount, if any, paid in excess of
19 the tax, interest, or penalties found by the director to be
20 due, with interest accruing ~~from the first day of the second~~
21 ~~calendar month following the date of payment by the taxpayer~~
22 ~~at the rate in effect under section 421.7 for each month~~
23 ~~or fraction of a month in accordance with section 421.60,~~
24 subsection 2, paragraph "e".

25 Sec. 8. Section 422.33, subsection 5, paragraph f, Code
26 2018, is amended to read as follows:

27 *f.* Any credit in excess of the tax liability for the
28 taxable year shall be refunded with interest ~~computed under~~
29 ~~section 422.25 in accordance with section 421.60, subsection~~
30 2, paragraph "e". In lieu of claiming a refund, a taxpayer may
31 elect to have the overpayment shown on its final, completed
32 return credited to the tax liability for the following taxable
33 year.

34 Sec. 9. Section 422.33, subsection 9, paragraph a, Code
35 2018, is amended to read as follows:

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1 *a.* The taxes imposed under this division shall be reduced by
2 an assistive device tax credit. A small business purchasing,
3 renting, or modifying an assistive device or making workplace
4 modifications for an individual with a disability who is
5 employed or will be employed by the small business is eligible,
6 subject to availability of credits, to receive this assistive
7 device tax credit which is equal to fifty percent of the
8 first five thousand dollars paid during the tax year for the
9 purchase, rental, or modification of the assistive device
10 or for making the workplace modifications. Any credit in
11 excess of the tax liability shall be refunded with interest
12 ~~computed under section 422.25 in accordance with section~~

13 421.60, subsection 2, paragraph “e”. In lieu of claiming a
14 refund, a taxpayer may elect to have the overpayment shown on
15 the taxpayer’s final, completed return credited to the tax
16 liability for the following tax year. If the small business
17 elects to take the assistive device tax credit, the small
18 business shall not deduct for Iowa tax purposes any amount of
19 the cost of an assistive device or workplace modifications
20 which is deductible for federal income tax purposes.

21 Sec. 10. Section 422.91, Code 2018, is amended to read as
22 follows:

23 **422.91 Credit for estimated tax.**

24 1. Any amount of estimated tax paid is a credit against
25 the amount of tax due on a final, completed return, and any
26 overpayment of five dollars or more shall be refunded to the
27 taxpayer with interest, ~~the interest to begin to accrue on~~
28 ~~the first day of the second calendar month following the date~~
29 ~~of payment or the date the return was due to be filed or was~~
30 ~~filed, whichever is the latest, at the rate established under~~
31 section 421.7 in accordance with section 421.60, subsection 2,
32 paragraph “e”, and the return constitutes a claim for refund for
33 this purpose. Amounts less than five dollars shall be refunded
34 to the taxpayer only upon written application in accordance
35 with section 422.73, and only if the application is filed

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1 within twelve months after the due date for the return.

2 2. In lieu of claiming a refund, the taxpayer may elect
3 to have the overpayment shown on its final, completed return
4 for the taxable year credited to the tax liability for the
5 following taxable year.

6 Sec. 11. Section 423.4, subsection 1, paragraph c, Code
7 2018, is amended to read as follows:

8 c. Refunds authorized under this subsection shall accrue
9 interest ~~at the rate in effect under section 421.7 from the~~
10 ~~first day of the second calendar month following the date the~~
11 ~~refund claim is received by the department in accordance with~~
12 section 421.60, subsection 2, paragraph “e”.

13 Sec. 12. Section 423.4, subsection 6, paragraph c,
14 subparagraph (2), Code 2018, is amended to read as follows:

15 (2) Refunds authorized under this subsection shall accrue
16 interest ~~at the rate in effect under section 421.7 from the~~
17 ~~first day of the second calendar month following the date the~~
18 ~~refund claim is received by the department in accordance with~~
19 section 421.60, subsection 2, paragraph “e”.

20 Sec. 13. Section 450.94, subsection 3, Code 2018, is amended
21 to read as follows:

22 3. If the amount paid is greater than the correct tax,
23 penalty, and interest due, the department shall refund the
24 excess with interest. ~~Interest shall be computed at the rate~~
25 ~~in effect under section 421.7, under the rules prescribed by~~
26 ~~the director counting each fraction of a month as an entire~~

27 ~~month and the interest shall begin to accrue on the first day~~
 28 ~~of the second calendar month following the date of payment~~
 29 ~~or on the date the return was due to be filed or was filed,~~
 30 whichever is the latest in accordance with section 421.60,
 31 subsection 2, paragraph "e". However, the director shall
 32 not allow a claim for refund or credit that has not been
 33 filed with the department within three years after the tax
 34 payment upon which a refund or credit is claimed became due,
 35 or one year after the tax payment was made, whichever time is

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1 later. A determination by the department of the amount of
 2 tax, penalty, and interest due, or the amount of refund for
 3 excess tax paid, is final unless the person aggrieved by the
 4 determination appeals to the director for a revision of the
 5 determination within sixty days from the date of the notice
 6 of determination of tax, penalty, and interest due or refund
 7 owing or unless the taxpayer contests the determination by
 8 paying the tax, interest, and penalty and timely filing a claim
 9 for refund. The director shall grant a hearing, and upon the
 10 hearing the director shall determine the correct tax, penalty,
 11 and interest or refund due, and notify the appellant of the
 12 decision by mail. The decision of the director is final unless
 13 the appellant seeks judicial review of the director's decision
 14 under section 450.59 within sixty days after the date of the
 15 notice of the director's decision.

16 Sec. 14. Section 452A.65, subsection 1, Code 2018, is
 17 amended to read as follows:

18 1. In addition to the tax or additional tax, the taxpayer
 19 shall pay a penalty as provided in section 421.27. The
 20 taxpayer shall also pay interest on the tax or additional
 21 tax at the rate in effect under section 421.7 counting each
 22 fraction of a month as an entire month, computed from the date
 23 the return was required to be filed. If the amount of the tax
 24 as determined by the appropriate state agency is less than the
 25 amount paid, the excess shall be refunded with interest, ~~the~~
 26 ~~interest to begin to accrue on the first day of the second~~
 27 ~~calendar month following the date of payment or the date the~~
 28 ~~return was due to be filed or was filed, whichever is the~~
 29 ~~latest, at the rate in effect under section 421.7 counting~~
 30 ~~each fraction of a month as an entire month under the rules~~
 31 ~~prescribed by the appropriate state agency in accordance with~~
 32 section 421.60, subsection 2, paragraph "e". Claims for
 33 refund filed under sections 452A.17 and 452A.21 shall accrue
 34 interest beginning with the first day of the second calendar
 35 month following the date the refund claim is received by the

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1 department.

2 Sec. 15.EFFECTIVE DATE. This division of this Act, being

3 deemed of immediate importance, takes effect upon enactment.

4 Sec. 16.RETROACTIVE APPLICABILITY. This division of this
5 Act applies retroactively to January 1, 2018, for tax years
6 beginning on or after that date, and for refunds issued on or
7 after that date.

8 DIVISION II
9 TAX PENALTIES

10 Sec. 17. Section 421.27, subsection 6, Code 2018, is amended
11 to read as follows:

12 6. *Improper receipt of refund or credit payments.* A person
13 who makes an erroneous application for refund, ~~or credit,~~
14 reimbursement, rebate, or other payment shall be liable for any
15 overpayment received or tax liability reduced plus interest
16 at the rate in effect under section 421.7. In addition, a
17 person who willfully makes a false or frivolous application
18 for refund, ~~or credit, reimbursement, rebate, or other payment~~
19 with intent to evade tax or with intent to receive a refund,
20 ~~or credit, reimbursement, rebate, or other payment~~ to which
21 the person is not entitled is guilty of a fraudulent practice
22 and is liable for a penalty equal to seventy-five percent of
23 the refund, ~~or credit, reimbursement, rebate, or other payment~~
24 being claimed. Payments, penalties, and interest due under
25 this subsection may be collected and enforced in the same
26 manner as the tax imposed.

27 Sec. 18. Section 425.29, Code 2018, is amended to read as
28 follows:

29 **425.29 False claim — penalty.**

30 A person who makes a false affidavit for the purpose
31 of obtaining credit or reimbursement provided for in this
32 division or who knowingly receives the credit or reimbursement
33 without being legally entitled to it or makes claim for the
34 credit or reimbursement in more than one county in the state
35 without being legally entitled to it is guilty of a fraudulent

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1 practice. The claim for credit or reimbursement shall be
2 disallowed in full and if the claim has been paid the amount
3 shall be recovered in the manner provided in section 425.27.
4 The department of revenue may impose penalties under section
5 421.27. The department of revenue shall send a notice of
6 disallowance of the claim.

7 Sec. 19.LEGISLATIVE INTENT. It is the intent of the
8 general assembly that the provisions of this division of this
9 Act are conforming amendments consistent with current state
10 law, and that the amendments do not change the application of
11 current law but instead reflect current law both before and
12 after the enactment of this division of this Act.

13 Sec. 20.EFFECTIVE DATE. This division of this Act, being
14 deemed of immediate importance, takes effect upon enactment.

15 DIVISION III
16 MISCELLANEOUS TAX PROVISIONS

17 Sec. 21. Section 34A.7B, subsection 13, Code 2018, is
18 amended to read as follows:

19 13. The department shall transfer all ~~remitted~~ reported
20 prepaid wireless 911 surcharges to the treasurer of state
21 for deposit in the 911 emergency communications fund created
22 under section 34A.7A, subsection 2, within thirty days of
23 receipt after deducting an amount, not to exceed two percent of
24 collected surcharges, that shall be retained by the department
25 to reimburse its direct costs of administering the collection
26 and remittance of prepaid wireless 911 surcharges.

27 Sec. 22. Section 421.17, subsection 2, paragraph d, Code
28 2018, is amended to read as follows:

29 d. To facilitate uniformity and equalization of
30 assessments throughout the state of Iowa and to facilitate
31 transfers of funds to local governments, the director may
32 use geographic information system technology and may require
33 assessing authorities and local governments that have adopted
34 compatible technology to provide information to the department
35 electronically using electronic geographic information

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1 system file formats. The department of revenue shall act on
2 behalf of political subdivisions and the state to deliver a
3 consolidated response to the boundary and annexation survey
4 and provide legal boundary geography data to the United States
5 census bureau. The department shall coordinate with political
6 subdivisions and the state to ensure that consistent, accurate,
7 and integrated geographic information is provided to the United States
8 census bureau. The office of the chief information officer
9 shall provide geographic information system and technical
10 support to the department to facilitate the exchange.

11 Sec. 23. Section 421.19, Code 2018, is amended to read as
12 follows:

13 **421.19 Counsel.**

14 1. It shall be the duty of the attorney general and of
15 the county attorneys in their respective counties to commence
16 and prosecute actions, prosecutions, and complaints, when
17 so directed by the director of revenue and to represent the
18 director in any litigation arising from the discharge of the
19 director's duties.

20 2. If the department has information that indicates a
21 taxpayer intentionally filed a false claim, affidavit, return,
22 or other information with intent to evade tax or to obtain
23 a refund, credit, or other benefit from the department, the
24 department may notify federal, state, or local law enforcement
25 and may disclose state returns, state return information,
26 state investigative or audit information, or any other state
27 information to such law enforcement, notwithstanding sections
28 422.20 and 422.72.

29 3. Notwithstanding sections 422.20 and 422.72, the
30 department may disclose state returns, state return

31 information, state investigative or audit information, or any
32 other state information under this section.
33 Sec. 24.NEW SECTION. 421.71 Class actions — implied right
34 of action — private cause of action immunity.
35 1. *Class actions prohibited.* No class action may be brought

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1 against the department, a taxpayer, or a person required to
2 collect any tax imposed under this title, in any court, agency,
3 or other adjudicative body, or in any other forum, based on
4 any act or omission arising from or related to any provision
5 of this title.
6 2. *No implied right of action.* Nothing in this title shall
7 be construed as creating or providing an implied private right
8 of action or any private common law claim against any taxpayer,
9 or against any person required to collect any tax imposed under
10 this title, in any court, agency, or other adjudicative body,
11 or in any other forum. This subsection shall not apply to or
12 otherwise limit any claim, action, mandate, power, remedy, or
13 discretion of the department, or an agent or designee of the
14 department.
15 3. *Private cause of action immunity for overpayment of*
16 *certain taxes.*
17 a. A taxpayer, or any person required to collect taxes
18 imposed under chapters 423, 423A, 423B, 423C, and 423D, and
19 chapter 423G, as enacted in 2018 Iowa Acts, Senate File 512,
20 shall be immune from any private cause of action arising from
21 or related to the overpayment of taxes imposed under chapters
22 423, 423A, 423B, 423C, and 423D, and chapter 423G, as enacted
23 in 2018 Iowa Acts, Senate File 512, that are collected and
24 remitted to the department.
25 b. Nothing in this subsection shall apply to or otherwise
26 limit any of the following:
27 (1) Any claim, action, mandate, power, remedy, or
28 discretion of the department, or an agent or designee of the
29 department.
30 (2) A taxpayer's right to seek a refund from the department
31 related to taxes imposed under chapters 423, 423A, 423B,
32 423C, and 423D, and chapter 423G, as enacted in 2018 Iowa
33 Acts, Senate File 512, that are collected from or paid by the
34 taxpayer.
35 Sec. 25. Section 423G.5, subsection 1, as enacted by 2018

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1 Iowa Acts, Senate File 512, section 15, is amended to read as
2 follows:
3 1. The director of revenue shall administer the water
4 service tax as nearly as possible in conjunction with the
5 administration of the state sales and use tax law, except that
6 portion of the law that implements the streamlined sales and

7 use tax agreement. The director shall provide appropriate
 8 forms, or provide on the regular state tax forms, for reporting
 9 water service tax liability, and for ease of administration may
 10 require water service tax liability to be identified, reported,
 11 and remitted to the department as sales and use tax liability,
 12 provided the department has the ability to properly identify
 13 such amounts as water service tax revenues upon receipt.

14 Sec. 26. Section 423G.6, subsection 2, paragraphs a, b, and
 15 c, as enacted by 2018 Iowa Acts, Senate File 512, section 16,
 16 are amended to read as follows:

17 a. For revenues ~~collected~~ reported on or after July 1, 2018,
 18 but before August 1, 2019, one-twelfth of the revenues to the
 19 water quality infrastructure fund created in section 8.57B,
 20 and one-twelfth of the revenues to the water quality financial
 21 assistance fund created in section 16.134A.

22 b. For revenues ~~collected~~ reported on or after August 1,
 23 2019, but before August 1, 2020, one-sixth of the revenues to
 24 the water quality infrastructure fund created in section 8.57B,
 25 and one-sixth of the revenues to the water quality financial
 26 assistance fund created in section 16.134A.

27 c. For revenues ~~collected~~ reported on or after August 1,
 28 2020, one-half of the revenues to the water quality financial
 29 assistance fund created in section 16.134A.

30 Sec. 27.IOWA ELECTION CAMPAIGN FUND TAX CHECKOFF AND
 31 CONTRIBUTIONS — CREDIT TO GENERAL FUND. Notwithstanding
 32 section 68A.601 or 422.12J, or any other provision of law to
 33 the contrary, any amount of contribution to the Iowa election
 34 campaign fund in section 68A.602 designated on an individual
 35 income tax return for any tax year and filed on or after

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1 January 1, 2018, is void and shall be disregarded, and such
 2 contribution amount shall be credited to the general fund and
 3 not to the Iowa election campaign fund.

4 Sec. 28.EFFECTIVE DATE. The following, being deemed of
 5 immediate importance, take effect upon enactment:

6 1. The section of this division of this Act relating to the
 7 Iowa election campaign fund tax checkoff and contributions.

8 2. The section of this division of this Act enacting section
 9 421.71.

10 Sec. 29.RETROACTIVE APPLICABILITY. The following applies
 11 retroactively to January 1, 2018, for individual income tax
 12 returns filed on or after that date:

13 The section of this division of this Act relating to the Iowa
 14 election campaign fund tax checkoff and contributions.

15 DIVISION IV
 16 TAX CREDITS

17 Sec. 30. Section 15E.52, subsection 8, Code 2018, is amended
 18 to read as follows:

19 8. The board shall not certify an innovation fund after June
 20 30, ~~2018~~ 2023.

21 Sec. 31. Section 403.19A, subsection 3, paragraph c,
22 subparagraph (2), Code 2018, is amended to read as follows:

23 (2) The pilot project city and the economic development
24 authority shall not enter into a withholding agreement after
25 June 30, ~~2018~~ 2019.

26 Sec. 32. Section 422.10, subsection 1, Code 2018, is amended
27 by adding the following new paragraph:

28 NEW PARAGRAPH. *0a.* An individual shall only be eligible for
29 the credit provided in this section if the business conducting
30 the research meets all of the following requirements:

31 (1)(a) The business is engaged in the manufacturing,
32 life sciences, software engineering, or aviation and aerospace
33 industry.

34 (b) Persons that shall not be considered to be engaged in
35 the manufacturing, life sciences, software engineering, or

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1 aviation and aerospace industry, and thus are not eligible
2 for the credit, include but are not limited to all of the
3 following:

4 (i) A person engaged in agricultural production as defined
5 in section 423.1.

6 (ii) A person who is a contractor, subcontractor, builder,
7 or a contractor-retailer that engages in commercial and
8 residential repair and installation, including but not limited
9 to heating or cooling installation and repair, plumbing and
10 pipe fitting, security system installation, and electrical
11 installation and repair. For purposes of this subparagraph
12 subdivision, "*contractor-retailer*" means a business that makes
13 frequent retail sales to the public or to other contractors and
14 that also engages in the performance of construction contracts.

15 (iii) A finance or investment company.

16 (iv) A retailer.

17 (v) A wholesaler.

18 (vi) A transportation company.

19 (vii) A publisher.

20 (viii) An agricultural cooperative association as defined
21 in section 502.102.

22 (ix) A real estate company.

23 (x) A collection agency.

24 (xi) An accountant.

25 (xii) An architect.

26 (2) The business claims and is allowed a research credit
27 for such qualified research expenses under section 41 of the
28 Internal Revenue Code for the same taxable year as it is
29 claiming the credit provided in this section.

30 Sec. 33. Section 422.10, subsection 3, Code 2018, is amended
31 by adding the following new paragraph:

32 NEW PARAGRAPH. *0a.* For purposes of this section, "*base*
33 *amount*" means the product of the fixed-based percentage times
34 the average annual gross receipts of the taxpayer for the four

35 taxable years preceding the taxable year for which the credit

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1 is being determined, but in no event shall the base amount be
2 less than fifty percent of the qualified research expenses for
3 the credit year.

4 Sec. 34. Section 422.10, subsection 3, paragraph a, Code
5 2018, is amended to read as follows:

6 a. For purposes of this section, "~~base amount~~", "*basic*
7 *research payment*", and "*qualified research expense*" mean the
8 same as defined for the federal credit for increasing research
9 activities under section 41 of the Internal Revenue Code,
10 except that for the alternative simplified credit such amounts
11 are for research conducted within this state.

12 Sec. 35. Section 422.11S, subsection 6, paragraph a, Code
13 2018, is amended to read as follows:

14 a. "*Eligible student*" means a student who is a member of a
15 household whose total annual income during the calendar year
16 before the student receives a tuition grant for purposes of
17 this section does not exceed an amount equal to ~~three~~ four
18 times the most recently published federal poverty guidelines in
19 the federal register by the United States department of health
20 and human services.

21 Sec. 36. Section 422.11S, subsection 8, paragraph a,
22 subparagraph (2), Code 2018, is amended to read as follows:

23 (2) "*Total approved tax credits*" means for the tax year
24 beginning in the 2006 calendar year, two million five hundred
25 thousand dollars, for the tax year beginning in the 2007
26 calendar year, five million dollars, for tax years beginning
27 on or after January 1, 2008, but before January 1, 2012, seven
28 million five hundred thousand dollars, for tax years beginning
29 on or after January 1, 2012, but before January 1, 2014, eight
30 million seven hundred fifty thousand dollars, and for tax years
31 beginning on or after January 1, 2014, but before January 1,
32 2019, twelve million dollars, and for tax years beginning on or
33 after January 1, 2019, thirteen million dollars.

34 Sec. 37. Section 422.33, subsection 5, Code 2018, is amended
35 by adding the following new paragraph:

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1 NEW PARAGRAPH. *0e.* A corporation shall only be
2 eligible for the credit provided in this subsection if the
3 business conducting the research meets all of the following
4 requirements:

5 (1)(a) The business is engaged in the manufacturing,
6 life sciences, software engineering, or aviation and aerospace
7 industry.

8 (b) Persons that shall not be considered to be engaged in
9 the manufacturing, life sciences, software engineering, or
10 aviation and aerospace industry, and thus are not eligible

- 11 for the credit, include but are not limited to all of the
12 following:
- 13 (i) A person engaged in agricultural production as defined
14 in section 423.1.
 - 15 (ii) A person who is a contractor, subcontractor, builder,
16 or a contractor-retailer that engages in commercial and
17 residential repair and installation, including but not limited
18 to heating or cooling installation and repair, plumbing and
19 pipe fitting, security system installation, and electrical
20 installation and repair. For purposes of this subparagraph
21 subdivision, “*contractor-retailer*” means a business that makes
22 frequent retail sales to the public or to other contractors and
23 that also engages in the performance of construction contracts.
 - 24 (iii) A finance or investment company.
 - 25 (iv) A retailer.
 - 26 (v) A wholesaler.
 - 27 (vi) A transportation company.
 - 28 (vii) A publisher.
 - 29 (viii) An agricultural cooperative association as defined
30 in section 502.102.
 - 31 (ix) A real estate company.
 - 32 (x) A collection agency.
 - 33 (xi) An accountant.
 - 34 (xii) An architect.
- 35 (2) The business claims and is allowed a research credit

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- 1 for such qualified research expenses under section 41 of the
2 Internal Revenue Code for the same taxable year as it is
3 claiming the credit provided in this subsection.
- 4 Sec. 38. Section 422.33, subsection 5, paragraph e, Code
5 2018, is amended by adding the following new subparagraph:
6 NEW SUBPARAGRAPH. (01) For purposes of this section, “*base*
7 *amount*” means the product of the fixed-based percentage times
8 the average annual gross receipts of the taxpayer for the four
9 taxable years preceding the taxable year for which the credit
10 is being determined, but in no event shall the base amount be
11 less than fifty percent of the qualified research expenses for
12 the credit year.
- 13 Sec. 39. Section 422.33, subsection 5, paragraph e,
14 subparagraph (1), Code 2018, is amended to read as follows:
15 (1) For purposes of this subsection, “*base amount*”; “*basic*
16 *research payment*”; and “*qualified research expense*” mean the
17 same as defined for the federal credit for increasing research
18 activities under section 41 of the Internal Revenue Code,
19 except that for the alternative simplified credit such amounts
20 are for research conducted within this state.
- 21 Sec. 40.2019 INTERIM TAX CREDIT STUDY.
22 1. The legislative council is requested to authorize a
23 study committee to evaluate tax credits available under Iowa
24 law, including Iowa’s utilization of tax credits as a tool

25 for promoting and supporting economic growth and development.
26 The study committee shall also consider new or different
27 tax credits or incentive programs, or tax rate or structure
28 changes, that will foster economic growth and improve Iowa's
29 overall tax and economic development climate. The study
30 committee shall make recommendations that the committee
31 believes will improve predictability for the state's budget,
32 improve accountability to the taxpayers of Iowa, maximize
33 flexibility in utilization, and place Iowa in the best position
34 for attracting and retaining workers and businesses in the
35 future. In developing recommendations, the study committee

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1 shall place significant emphasis on directing tax credits,
2 incentive programs, or tax rate or structure changes toward
3 Iowa workers and programs to strengthen Iowa's workforce by
4 incentivizing efforts to expand Iowans' skills and capabilities
5 in high-demand career fields.

6 2. The study committee shall consist of five members of
7 the senate, three of whom shall be appointed by the majority
8 leader of the senate and two of whom shall be appointed by
9 the minority leader of the senate, and five members of the
10 house of representatives, three of whom shall be appointed by
11 the speaker of the house of representatives and two of whom
12 shall be appointed by the minority leader of the house of
13 representatives.

14 3. The study committee shall meet during the 2019
15 legislative interim to make recommendations for consideration
16 during the 2020 legislative session in a report submitted to
17 the general assembly.

18 Sec. 41.LEGISLATIVE INTENT. It is the intent of the
19 general assembly that the provisions of this division of this
20 Act enacting section 422.10, subsection 3, paragraph "0a",
21 amending section 422.10, subsection 3, paragraph "a", enacting
22 section 422.33, subsection 5, paragraph e, subparagraph (01),
23 and amending section 422.33, subsection 5, paragraph "e",
24 subparagraph (1), are conforming amendments consistent with
25 current state law, and that the amendments do not change the
26 application of current law but instead reflect current law both
27 before and after the enactment of this division of this Act.

28 Sec. 42.REPEAL. Sections 422.10A and 422.11I, Code 2018,
29 are repealed.

30 Sec. 43.EFFECTIVE DATE. The following, being deemed of
31 immediate importance, take effect upon enactment:

32 1. The section of this division of this Act amending section
33 15E.52, subsection 8.

34 2. The section of this division of this Act enacting section
35 422.10, subsection 1, paragraph "0a".

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1 3. The section of this division of this Act enacting section
2 422.10, subsection 3, paragraph "0a".

3 4. The section of this division of this Act amending section
4 422.10, subsection 3, paragraph "a".

5 5. The section of this division of this Act enacting section
6 422.33, subsection 5, paragraph "0e".

7 6. The section of this division of this Act enacting section
8 422.33, subsection 5, paragraph "e", subparagraph (01).

9 7. The section of this division of this Act amending section
10 422.33, subsection 5, paragraph "e", subparagraph (1).

11 8. The section of this division of this Act entitled
12 "legislative intent" which describes the intent of the general
13 assembly with respect to certain amendments in this division of
14 this Act to sections 422.10 and 422.33.

15 Sec. 44.EFFECTIVE DATE. The following take effect January
16 1, 2019:

17 1. The sections of this division of this Act amending
18 section 422.11S.

19 2. The section of this division of this Act repealing
20 sections 422.10A and 422.11I.

21 Sec. 45.RETROACTIVE APPLICABILITY. The following apply
22 retroactively to January 1, 2017, for tax years beginning on
23 or after that date:

24 1. The section of this division of this Act enacting section
25 422.10, subsection 1, paragraph "0a".

26 2. The section of this division of this Act enacting section
27 422.33, subsection 5, paragraph "0e".

28 Sec. 46.APPLICABILITY. The following applies to tax
29 years beginning on or after January 1, 2019, and to qualified
30 geothermal heat pump property installations occurring on or
31 after January 1, 2019:

32 The section of this division of this Act repealing sections
33 422.10A and 422.11I.

34 DIVISION V

35 TAXPAYERS TRUST FUND AND TAXPAYERS TRUST FUND TAX CREDIT

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1 Sec. 47. Section 8.55, subsection 2, paragraph a, Code 2018,
2 is amended to read as follows:

3 a. The first sixty million dollars of the difference
4 between the actual net revenue for the general fund of the
5 state for the fiscal year and the adjusted revenue estimate for
6 the fiscal year shall be transferred to the ~~taxpayers trust~~
7 taxpayer relief fund created in section 8.57E.

8 Sec. 48. Section 8.57E, Code 2018, is amended to read as
9 follows:

10 **8.57E Taxpayers trust Taxpayer relief fund.**

11 1. A ~~taxpayers trust taxpayer relief~~ fund is created. The
12 fund shall be separate from the general fund of the state and

13 the balance in the fund shall not be considered part of the
 14 balance of the general fund of the state. The moneys credited
 15 to the fund are not subject to section 8.33 and shall not
 16 be transferred, used, obligated, appropriated, or otherwise
 17 encumbered except as provided in this section.

18 2. Moneys in the ~~taxpayers trust~~ taxpayer relief fund shall
 19 only be used pursuant to appropriations or transfers made by
 20 the general assembly for tax relief, including but not limited
 21 to increases in the general retirement income exclusion under
 22 section 422.7, subsection 31, or reductions in income tax
 23 rates. During each fiscal year beginning on or after July 1,
 24 2014, in which the balance of the taxpayers trust fund equals
 25 or exceeds thirty million dollars, there is transferred from
 26 the taxpayers trust fund to the Iowa taxpayers trust fund tax
 27 credit fund created in section 422.11E, the entire balance of
 28 the taxpayers trust fund to be used for the Iowa taxpayers
 29 trust fund tax credit in accordance with section 422.11E,
 30 subsection 5.

31 3.a. Moneys in the ~~taxpayers trust~~ taxpayer relief
 32 fund may be used for cash flow purposes during a fiscal year
 33 provided that any moneys so allocated are returned to the fund
 34 by the end of that fiscal year.

35 b. Except as provided in section 8.58, the ~~taxpayers trust~~

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1 taxpayer relief fund shall be considered a special account for
 2 the purposes of section 8.53 in determining the cash position
 3 of the general fund of the state for the payment of state
 4 obligations.

5 4. Notwithstanding section 12C.7, subsection 2, interest or
 6 earnings on moneys deposited in the ~~taxpayers trust~~ taxpayer
 7 relief fund shall be credited to the fund.

8 Sec. 49. Section 8.58, Code 2018, is amended to read as
 9 follows:

10 **8.58 Exemption from automatic application.**

11 1. To the extent that moneys appropriated under section
 12 8.57 do not result in moneys being credited to the general
 13 fund under section 8.55, subsection 2, moneys appropriated
 14 under section 8.57 and moneys contained in the cash reserve
 15 fund, rebuild Iowa infrastructure fund, environment first fund,
 16 Iowa economic emergency fund, ~~taxpayers trust~~ taxpayer relief
 17 fund, and state bond repayment fund shall not be considered
 18 in the application of any formula, index, or other statutory
 19 triggering mechanism which would affect appropriations,
 20 payments, or taxation rates, contrary provisions of the Code
 21 notwithstanding.

22 2. To the extent that moneys appropriated under section
 23 8.57 do not result in moneys being credited to the general fund
 24 under section 8.55, subsection 2, moneys appropriated under
 25 section 8.57 and moneys contained in the cash reserve fund,
 26 rebuild Iowa infrastructure fund, environment first fund, Iowa

27 economic emergency fund, ~~taxpayers trust~~ taxpayer relief fund,
 28 and state bond repayment fund shall not be considered by an
 29 arbitrator or in negotiations under chapter 20.

30 Sec. 50. Section 257.21, subsection 2, Code 2018, is amended
 31 to read as follows:

32 2. The instructional support income surtax shall be imposed
 33 on the state individual income tax for the calendar year during
 34 which the school's budget year begins, or for a taxpayer's
 35 fiscal year ending during the second half of that calendar year

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1 and after the date the board adopts a resolution to participate
 2 in the program or the first half of the succeeding calendar
 3 year, and shall be imposed on all individuals residing in the
 4 school district on the last day of the applicable tax year.

5 As used in this section, "*state individual income tax*" means
 6 the taxes computed under section 422.5, less the amounts of
 7 nonrefundable credits allowed under chapter 422, division II,
 8 ~~except for the Iowa taxpayers trust fund tax credit allowed~~
 9 ~~under section 422.11E.~~

10 Sec. 51. Section 422D.2, Code 2018, is amended to read as
 11 follows:

12 **422D.2 Local income surtax.**

13 A county may impose by ordinance a local income surtax as
 14 provided in section 422D.1 at the rate set by the board of
 15 supervisors, of up to one percent, on the state individual
 16 income tax of each individual residing in the county at the
 17 end of the individual's applicable tax year. However, the
 18 cumulative total of the percents of income surtax imposed on
 19 any taxpayer in the county shall not exceed twenty percent.
 20 The reason for imposing the surtax and the amount needed
 21 shall be set out in the ordinance. The surtax rate shall be
 22 set to raise only the amount needed. For purposes of this
 23 section, "*state individual income tax*" means the tax computed
 24 under section 422.5, less the amounts of nonrefundable credits
 25 allowed under chapter 422, division II, ~~except for the Iowa~~
 26 ~~taxpayers trust fund tax credit allowed under section 422.11E.~~

27 Sec. 52.REPEAL. Section 422.11E, Code 2018, is repealed.

28 Sec. 53.EFFECTIVE DATE. This division of this Act, being
 29 deemed of immediate importance, takes effect upon enactment.

30 Sec. 54.RETROACTIVE APPLICABILITY. The following apply
 31 retroactively to January 1, 2018, for tax years beginning on
 32 or after that date:

33 1. The section of this division of this Act amending section
 34 257.21.

35 2. The section of this division of this Act repealing

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1 section 422.11E.

2 3. The section of this division of this Act amending section

3 422D.2.

4 DIVISION VI

5 TAXPAYERS TRUST FUND TRANSFER CAP

6 Sec. 55. Section 8.55, subsection 2, paragraph a, Code 2018,
7 is amended to read as follows:

8 a. ~~The first sixty million dollars of the~~ difference between
9 the actual net revenue for the general fund of the state for
10 the fiscal year and the adjusted revenue estimate for the
11 fiscal year shall be transferred to the taxpayers trust fund
12 created in section 8.57E.

13 Sec. 56.EFFECTIVE DATE. This division of this Act takes
14 effect July 1, 2019.

15 Sec. 57.APPLICABILITY. This division of this Act is first
16 applicable to calculate the state general fund expenditure
17 limitation for the fiscal year beginning July 1, 2020.

18 DIVISION VII

19 INDIVIDUAL INCOME TAX CHANGES BEGINNING IN TAX YEAR 2018

20 Sec. 58. Section 422.7, Code 2018, is amended by adding the
21 following new subsections:

22 NEW SUBSECTION. 51.a. Notwithstanding any other provision
23 of law to the contrary, the increased expensing allowance under
24 section 179 of the Internal Revenue Code, as amended by Pub.
25 L. No. 115-97, §13101, applies in computing net income for
26 state tax purposes for tax years beginning on or after January
27 1, 2018, subject to the limitations in this subsection for tax
28 years beginning prior to January 1, 2020.

29 b. If the taxpayer has taken the increased expensing
30 allowance under section 179 of the Internal Revenue Code,
31 as amended by Pub. L. No. 115-97, §13101, for purposes of
32 computing federal adjusted gross income for tax years beginning
33 on or after January 1, 2018, but before January 1, 2020, then
34 the taxpayer shall make the following adjustments to federal
35 adjusted gross income when computing net income for state tax

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1 purposes for the same tax year:

2 (1) Add the total amount of expense deduction taken on
3 section 179 property allowable for federal tax purposes under
4 section 179 of the Internal Revenue Code, as amended by Pub.
5 L. No. 115-97, §13101.

6 (2)(a) For tax years beginning on or after January
7 1, 2018, but before January 1, 2019, subtract the amount
8 of expense deduction on section 179 property allowable for
9 federal tax purposes under section 179 of the Internal Revenue
10 Code, as amended by Pub. L. No. 115-97, §13101, not to exceed
11 seventy thousand dollars. The subtraction in this subparagraph
12 division shall be reduced, but not below zero, by the amount by
13 which the total cost of section 179 property placed in service
14 by the taxpayer during the tax year exceeds two hundred eighty
15 thousand dollars.

16 (b) For tax years beginning on or after January 1, 2019,

17 but before January 1, 2020, subtract the amount of expense
18 deduction on section 179 property allowable for federal tax
19 purposes under section 179 of the Internal Revenue Code, as
20 amended by Pub. L. No. 115-97, §13101, not to exceed one
21 hundred thousand dollars. The subtraction in this subparagraph
22 division shall be reduced, but not below zero, by the amount by
23 which the total cost of section 179 property placed in service
24 by the taxpayer during the tax year exceeds four hundred
25 thousand dollars.

26 (3) Any other adjustments to gains or losses necessary to
27 reflect adjustments made in subparagraphs (1) and (2).

28 c. The director shall adopt rules pursuant to chapter 17A
29 to administer this subsection.

30 NEW SUBSECTION. 52.a. For tax years beginning on or
31 after January 1, 2018, but before January 1, 2020, a taxpayer
32 may elect to take advantage of this subsection in lieu of
33 subsection 51, but only if the taxpayer's total expensing
34 allowance deduction for federal tax purposes under section 179
35 of the Internal Revenue Code, as amended by Pub. L. No. 115-97,

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1 §13101, that is allocated to the taxpayer from one or more
2 partnerships, S corporations, or limited liability companies
3 electing to have the income taxed directly to the individual
4 exceeds seventy thousand dollars for a tax year beginning
5 during the 2018 calendar year, or exceeds one hundred thousand
6 dollars for a tax year beginning during the 2019 calendar year,
7 and would, except as provided in this subsection, be limited
8 for purposes of computing net income for state tax purposes
9 pursuant to subsection 51.

10 b. A taxpayer who elects to take advantage of this
11 subsection shall make the following adjustments to federal
12 adjusted gross income when computing net income for state tax
13 purposes:

14 (1) Add the total amount of section 179 expense
15 deduction allocated to the taxpayer from all partnerships, S
16 corporations, or limited liability companies electing to have
17 the income taxed directly to the individual, to the extent the
18 allocated amount was allowed as a deduction to the taxpayer
19 for federal tax purposes for the tax year under section 179 of
20 the Internal Revenue Code, as amended by Pub. L. No. 115-97,
21 §13101.

22 (2) From the amount added in subparagraph (1), do the
23 following:

24 (a) For tax years beginning on or after January 1, 2018,
25 but before January 1, 2019, subtract the first seventy thousand
26 dollars of expensing allowance deduction on section 179
27 property.

28 (b) For tax years beginning on or after January 1, 2019,
29 but before January 1, 2020, subtract the first one hundred
30 thousand dollars of expensing allowance deduction on section

31 179 property.

32 (3) The remaining amount, equal to the difference between
33 the amount added in subparagraph (1), and the amount subtracted
34 in subparagraph (2), may be deducted by the taxpayer but such
35 deduction shall be amortized equally over five tax years

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1 beginning in the following tax year.

2 (4) Any other adjustments to gains or losses necessary to
3 reflect adjustments made in subparagraphs (1) through (3).
4 c. A taxpayer who elects to take advantage of this
5 subsection shall not take the increased expensing allowance
6 under section 179 of the Internal Revenue Code, as amended by
7 Pub. L. No. 115-97, §13101, for any section 179 property placed
8 in service by the taxpayer in computing adjusted gross income
9 for state tax purposes. If the taxpayer has taken any such
10 deduction for purposes of computing federal adjusted gross
11 income, the taxpayer shall make the following adjustments to
12 federal adjusted gross income when computing net income for
13 state tax purposes:

14 (1) Add the total amount of expense deduction for federal
15 tax purposes taken on section 179 property placed in service by
16 the taxpayer under section 179 of the Internal Revenue Code, as
17 amended by Pub. L. No. 115-97, §13101.

18 (2) Subtract the amount of depreciation allowable on such
19 property under the modified accelerated cost recovery system
20 described in section 168 of the Internal Revenue Code, without
21 regard to section 168(k) of the Internal Revenue Code. The
22 taxpayer shall continue to take depreciation on the applicable
23 property in future tax years to the extent allowed under the
24 modified accelerated cost recovery system described in section
25 168 of the Internal Revenue Code, without regard to section
26 168(k) of the Internal Revenue Code.

27 (3) Any other adjustments to gains or losses necessary to
28 reflect the adjustments made in subparagraphs (1) and (2).
29 d. The election made under this subsection is for one tax
30 year and the taxpayer may elect or not elect to take advantage
31 of this subsection in any subsequent tax year. However, not
32 electing to take advantage of this subsection in a subsequent
33 tax year shall not affect the taxpayer's ability to claim the
34 tax deduction under paragraph "b", subparagraph (3), that
35 originated from a previous tax year.

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1 e. The director shall adopt rules pursuant to chapter 17A
2 to administer this subsection.

3 Sec. 59. Section 422.9, subsection 2, paragraph h, Code
4 2018, is amended to read as follows:

5 h. For purposes of calculating the deductions in this
6 subsection that are authorized under the Internal Revenue Code,

7 and to the extent that any of such deductions is determined by
8 an individual's federal adjusted gross income, the individual's
9 federal adjusted gross income is computed in accordance with
10 section 422.7, subsections 39, 39A, 39B, 51, 52, and 53.

11 Sec. 60.TAX-FREE IRA DISTRIBUTIONS TO CERTAIN PUBLIC
12 CHARITIES FOR INDIVIDUALS SEVENTY AND ONE-HALF YEARS OF AGE
13 OR OLDER. Notwithstanding any other provision of law to the
14 contrary, for tax years beginning during the 2018 calendar
15 year, the exclusion from federal adjusted gross income for
16 certain qualified charitable distributions from an individual
17 retirement plan provided in section 408(d)(8) of the Internal
18 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
19 §112, applies in computing net income for state tax purposes.

20 Sec. 61.STATE SALES AND USE TAX DEDUCTION.
21 Notwithstanding any other provision of law to the contrary, for
22 tax years beginning during the 2018 calendar year, a taxpayer
23 who elects to itemize deductions for state tax purposes under
24 section 422.9, subsection 2, is allowed to take the deduction
25 for state sales and use tax in lieu of the deduction for state
26 and local income taxes under section 164(b)(5) of the Internal
27 Revenue Code, as amended by Pub. L. No. 114-113, division Q,
28 §106, in computing taxable income for state tax purposes, but
29 only if the taxpayer elected to deduct state sales and use
30 taxes in lieu of state and local income taxes for federal tax
31 purposes for the same tax year.

32 Sec. 62.EARNED INCOME TAX CREDIT FOR 2018.
33 Notwithstanding the definition of "Internal Revenue Code"
34 in section 422.3, for tax years beginning during the 2018
35 calendar year, any reference to the term "Internal Revenue

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1 Code" in section 422.12B shall mean the Internal Revenue Code
2 of 1954, prior to the date of its redesignation as the Internal
3 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
4 the Internal Revenue Code of 1986 as amended and in effect on
5 January 1, 2016, but shall not be construed to include any
6 amendment to the Internal Revenue Code enacted after January 1,
7 2016, including any amendment with retroactive applicability
8 or effectiveness.

9 Sec. 63.ACCOUNTING METHOD AND OTHER MISCELLANEOUS
10 COUPLING PROVISIONS FOR TAX YEAR 2018. Notwithstanding any
11 other provision of law to the contrary, amendments to the
12 Internal Revenue Code enacted in Pub. L. No. 115-97, §13102,
13 §13221, §13504, §13541, §13543, §13611, and §13613, apply in
14 calculating federal adjusted gross income or federal taxable
15 income, as applicable, for state tax purposes for purposes of
16 chapter 422 for tax years beginning during the 2018 calendar
17 year to the extent those amendments affect the calculation of
18 federal adjusted gross income or federal taxable income, as
19 applicable, for federal tax purposes for tax years beginning
20 during the 2018 calendar year.

21 Sec. 64.TEACHER EXPENSE DEDUCTION. Notwithstanding
 22 any other provision of law to the contrary, for tax years
 23 beginning during the 2018 calendar year, a taxpayer is allowed
 24 to take the deduction for certain expenses of elementary and
 25 secondary school teachers allowed under section 62(a)(2)(D) of
 26 the Internal Revenue Code, as amended by Pub. L. No. 114-113,
 27 division Q, §104, in computing net income for state tax
 28 purposes.
 29 Sec. 65.EFFECTIVE DATE. This division of this Act, being
 30 deemed of immediate importance, takes effect upon enactment.
 31 Sec. 66.RETROACTIVE APPLICABILITY. Except as otherwise
 32 provided in this division of this Act, this division of this
 33 Act applies retroactively to January 1, 2018, for tax years
 34 beginning on or after that date, but before January 1, 2019.
 35 Sec. 67.RETROACTIVE APPLICABILITY. The following apply

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1 retroactively to January 1, 2018, for tax years beginning on
 2 or after that date:
 3 1. The section of this division of this Act enacting section
 4 422.7, subsections 51 and 52.
 5 2. The section of this division of this Act amending section
 6 422.9, subsection 2, paragraph “h”.
 7 DIVISION VIII
 8 INDIVIDUAL AND CORPORATE INCOME TAX AND FRANCHISE TAX CHANGES
 9 BEGINNING IN TAX YEAR 2019
 10 Sec. 68. Section 15.335, subsection 7, paragraph b, Code
 11 2018, is amended by striking the paragraph and inserting in
 12 lieu thereof the following:
 13 *b. For purposes of this section, “Internal Revenue Code”*
 14 *means the same as defined in section 422.3.*
 15 Sec. 69. Section 422.3, subsection 5, Code 2018, is amended
 16 to read as follows:
 17 5. *“Internal Revenue Code” means one of the following:*
 18 *a. For tax years beginning during the 2019 calendar year,*
 19 *“Internal Revenue Code” means the Internal Revenue Code of*
 20 *1954, prior to the date of its redesignation as the Internal*
 21 *Revenue Code of 1986 by the Tax Reform Act of 1986, or means*
 22 *the Internal Revenue Code of 1986 as amended and in effect on*
 23 *January 1, 2015 March 24, 2018. This definition shall not be*
 24 *construed to include any amendment to the Internal Revenue Code*
 25 *enacted after the date specified in the preceding sentence,*
 26 *including any amendment with retroactive applicability or*
 27 *effectiveness.*
 28 *b. For tax years beginning on or after January 1, 2020,*
 29 *“Internal Revenue Code” means the Internal Revenue Code of*
 30 *1954, prior to the date of its redesignation as the Internal*
 31 *Revenue Code of 1986 by the Tax Reform Act of 1986, or means the*
 32 *Internal Revenue Code of 1986, as amended.*
 33 Sec. 70. Section 422.4, subsection 16, Code 2018, is amended
 34 to read as follows:

35 16. The words “taxable income” mean the net income as

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1 defined in section 422.7 minus the deductions allowed by
 2 section 422.9, in the case of individuals; in the case of
 3 estates or trusts, the words “taxable income” mean the taxable
 4 income (without a deduction for personal exemption) as
 5 computed for federal income tax purposes under the Internal
 6 Revenue Code, but with the following adjustments specified in
 7 section 422.7 plus the Iowa income tax deducted in computing
 8 the federal taxable income and minus federal income taxes as
 9 provided in section 422.9:

10 a. Add back the personal exemption deduction taken in
 11 computing federal taxable income.

12 b. Make the adjustments specified in section 422.7.

13 c. Add back Iowa income tax deducted in computing federal
 14 taxable income.

15 d. Subtract federal income taxes as provided in section
 16 422.9.

17 e. Add back the following percentage of the qualified
 18 business income deduction under section 199A of the Internal
 19 Revenue Code taken in calculating federal taxable income for
 20 the applicable tax year:

21 (1) For tax years beginning on or after January 1, 2019, but
 22 before January 1, 2021, seventy-five percent.

23 (2) For tax years beginning during the 2021 calendar year,
 24 fifty percent.

25 (3) For tax years beginning on or after January 1, 2022,
 26 twenty-five percent.

27 Sec. 71. Section 422.5, subsection 1, Code 2018, is amended
 28 to read as follows:

29 1.a. A tax is imposed upon every resident and nonresident
 30 of the state which tax shall be levied, collected, and paid
 31 annually upon and with respect to the entire taxable income
 32 as defined in this division at rates as follows: provided in
 33 section 422.5A.

34 a. ~~On all taxable income from zero through one thousand~~
 35 ~~dollars, thirty-six hundredths of one percent.~~

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1 b. ~~On all taxable income exceeding one thousand dollars but~~
 2 ~~not exceeding two thousand dollars, seventy-two hundredths of~~
 3 ~~one percent.~~

4 c. ~~On all taxable income exceeding two thousand dollars~~
 5 ~~but not exceeding four thousand dollars, two and forty-three~~
 6 ~~hundredths percent.~~

7 d. ~~On all taxable income exceeding four thousand dollars but~~
 8 ~~not exceeding nine thousand dollars, four and one-half percent.~~

9 e. ~~On all taxable income exceeding nine thousand dollars~~
 10 ~~but not exceeding fifteen thousand dollars, six and twelve~~

11 ~~hundredths percent.~~

12 ~~f. On all taxable income exceeding fifteen thousand dollars~~
 13 ~~but not exceeding twenty thousand dollars, six and forty-eight~~
 14 ~~hundredths percent.~~

15 ~~g. On all taxable income exceeding twenty thousand dollars~~
 16 ~~but not exceeding thirty thousand dollars, six and eight-tenths~~
 17 ~~percent.~~

18 ~~h. On all taxable income exceeding thirty thousand dollars~~
 19 ~~but not exceeding forty-five thousand dollars, seven and~~
 20 ~~ninety-two hundredths percent.~~

21 ~~i. On all taxable income exceeding forty-five thousand~~
 22 ~~dollars, eight and ninety-eight hundredths percent.~~

23 ~~j. b(1) The tax imposed upon the taxable income of a~~
 24 ~~nonresident shall be computed by reducing the amount determined~~
 25 ~~pursuant to paragraphs "a" through "i" paragraph "a" by the~~
 26 ~~amounts of nonrefundable credits under this division and by~~
 27 ~~multiplying this resulting amount by a fraction of which the~~
 28 ~~nonresident's net income allocated to Iowa, as determined in~~
 29 ~~section 422.8, subsection 2, paragraph "a", is the numerator and~~
 30 ~~the nonresident's total net income computed under section 422.7~~
 31 ~~is the denominator. This provision also applies to individuals~~
 32 ~~who are residents of Iowa for less than the entire tax year.~~

33 (2)(a) The tax imposed upon the taxable income of a
 34 resident shareholder in an S corporation or of an estate
 35 or trust with a situs in Iowa that is a shareholder in an S

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1 corporation, which S corporation has in effect for the tax
 2 year an election under subchapter S of the Internal Revenue
 3 Code and carries on business within and without the state,
 4 may be computed by reducing the amount determined pursuant
 5 to paragraphs "a" through "i" paragraph "a" by the amounts of
 6 nonrefundable credits under this division and by multiplying
 7 this resulting amount by a fraction of which the resident's
 8 or estate's or trust's net income allocated to Iowa, as
 9 determined in section 422.8, subsection 2, paragraph "b", is
 10 the numerator and the resident's or estate's or trust's total
 11 net income computed under section 422.7 is the denominator. If
 12 a resident shareholder, or an estate or trust with a situs in
 13 Iowa that is a shareholder, has elected to take advantage of
 14 this subparagraph (2), and for the next tax year elects not to
 15 take advantage of this subparagraph, the resident or estate or
 16 trust shareholder shall not reelect to take advantage of this
 17 subparagraph for the three tax years immediately following the
 18 first tax year for which the shareholder elected not to take
 19 advantage of this subparagraph, unless the director consents to
 20 the reelection. This subparagraph also applies to individuals
 21 who are residents of Iowa for less than the entire tax year.

22 (b) This subparagraph (2) shall not affect the amount of
 23 the taxpayer's checkoffs under this division, the credits from
 24 tax provided under this division, and the allocation of these

25 credits between spouses if the taxpayers filed separate returns
26 or separately on combined returns.
27 Sec. 72. Section 422.5, subsection 2, paragraph a, Code
28 2018, is amended to read as follows:
29 a. There is imposed upon every resident and nonresident of
30 this state, including estates and trusts, the greater of the
31 tax determined in subsection 1, paragraphs "a" through "j", or
32 the state alternative minimum tax equal to seventy-five percent
33 of the maximum state individual income tax rate for the tax
34 year, rounded to the nearest one-tenth of one percent, times
35 the state alternative minimum taxable income of the taxpayer as

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1 computed under this subsection.
2 Sec. 73. NEW SECTION. 422.5A Tax rates.
3 The tax imposed in section 422.5 shall be calculated at the
4 following rates:
5 1. On all taxable income from 0 through \$1,000, the rate of
6 0.33 percent.
7 2. On all taxable income exceeding \$1,000 but not exceeding
8 \$2,000, the rate of 0.67 percent.
9 3. On all taxable income exceeding \$2,000 but not exceeding
10 \$4,000, the rate of 2.25 percent.
11 4. On all taxable income exceeding \$4,000 but not exceeding
12 \$9,000, the rate of 4.14 percent.
13 5. On all taxable income exceeding \$9,000 but not exceeding
14 \$15,000, the rate of 5.63 percent.
15 6. On all taxable income exceeding \$15,000 but not exceeding
16 \$20,000, the rate of 5.96 percent.
17 7. On all taxable income exceeding \$20,000 but not exceeding
18 \$30,000, the rate of 6.25 percent.
19 8. On all taxable income exceeding \$30,000 but not exceeding
20 \$45,000, the rate of 7.44 percent.
21 9. On all taxable income exceeding \$45,000, the rate of 8.53
22 percent.
23 Sec. 74. Section 422.5, subsection 6, Code 2018, is amended
24 to read as follows:
25 6. Upon determination of the latest cumulative inflation
26 factor, the director shall multiply each dollar amount set
27 forth in ~~subsection 1, paragraphs "a" through "j"~~ section
28 422.5A by this cumulative inflation factor, shall round
29 off the resulting product to the nearest one dollar, and
30 shall incorporate the result into the income tax forms and
31 instructions for each tax year.
32 Sec. 75. Section 422.7, subsection 39A, unnumbered
33 paragraph 1, Code 2018, is amended by striking the unnumbered
34 paragraph and inserting in lieu thereof the following:
35 The additional first-year depreciation allowance authorized

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1 in section 168(k) of the Internal Revenue Code does not
2 apply in computing net income for state tax purposes. If the
3 taxpayer has taken the additional first-year depreciation
4 allowance for purposes of computing federal adjusted gross
5 income, then the taxpayer shall make the following adjustments
6 to federal adjusted gross income when computing net income for
7 state tax purposes:

8 Sec. 76. Section 422.7, Code 2018, is amended by adding the
9 following new subsection:

10 NEW SUBSECTION. 59.a. The rules for nonrecognition
11 of gain or loss from exchanges of real property held for
12 productive use or investment and not held primarily for sale,
13 as provided in section 1031 of the Internal Revenue Code, apply
14 for state income tax purposes with regard to exchanges of real
15 property.

16 b.(1) The rules for nonrecognition of gain or loss
17 from exchanges of property other than real property held for
18 productive use or investment as provided in section 1031 of the
19 Internal Revenue Code, as amended up to and including December
20 21, 2017, apply for state income tax purposes for tax years
21 beginning during the 2019 calendar year, notwithstanding any
22 other provision of law to the contrary. If the taxpayer's
23 federal adjusted gross income includes gain or loss from
24 property, other than real property described in paragraph "a",
25 and the taxpayer elects to have this paragraph apply, the
26 following adjustments shall be made:

27 (a)(i) Subtract the total amount of gain related to the
28 sale or exchange of the property as properly reported for
29 federal tax purposes under the Internal Revenue Code.

30 (ii) Add back any gain related to the sale or exchange
31 of the property to the extent such gain does not qualify for
32 deferral under section 1031 of the Internal Revenue Code, as
33 amended up to and including December 21, 2017, which gain
34 shall be calculated using the taxpayer's adjusted basis in the
35 property for state tax purposes.

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1 (b)(i) Add the total amount of loss related to the sale or
2 exchange of the property as properly reported for federal tax
3 purposes under the Internal Revenue Code.

4 (ii) Subtract any loss related to the sale or exchange
5 of the property to the extent such loss does not qualify for
6 deferral under section 1031 of the Internal Revenue Code, as
7 amended up to and including December 21, 2017, which loss
8 shall be calculated using the taxpayer's adjusted basis in the
9 property for state tax purposes.

10 (c) Any other adjustments to gains, losses, deductions, or
11 tax basis for the property given up or received in the sale or
12 exchange pursuant to rules adopted by the director.

13 (2) The director shall adopt rules pursuant to chapter 17A
14 to administer this paragraph.

15 c. This subsection is repealed January 1, 2020, for tax
16 years beginning on or after that date.

17 Sec. 77. Section 422.8, subsection 2, paragraph a, Code
18 2018, is amended to read as follows:

19 a. Nonresident's net income allocated to Iowa is the net
20 income, or portion of net income, which is derived from a
21 business, trade, profession, or occupation carried on within
22 this state or income from any property, trust, estate, or
23 other source within Iowa. However, income derived from a
24 business, trade, profession, or occupation carried on within
25 this state and income from any property, trust, estate, or
26 other source within Iowa shall not include distributions from
27 pensions, including defined benefit or defined contribution
28 plans, annuities, individual retirement accounts, and deferred
29 compensation plans or any earnings attributable thereto so long
30 as the distribution is directly related to an individual's
31 documented retirement and received while the individual is a
32 nonresident of this state. If a business, trade, profession,
33 or occupation is carried on partly within and partly without
34 the state, only the portion of the net income which is fairly
35 and equitably attributable to that part of the business,

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1 trade, profession, or occupation carried on within the state
2 is allocated to Iowa for purposes of section 422.5, subsection
3 1, paragraph "a" "b", and section 422.13 and income from any
4 property, trust, estate, or other source partly within and
5 partly without the state is allocated to Iowa in the same
6 manner, except that annuities, interest on bank deposits and
7 interest-bearing obligations, and dividends are allocated
8 to Iowa only to the extent to which they are derived from a
9 business, trade, profession, or occupation carried on within
10 the state. Net income described in section 29C.24, subsection
11 3, paragraph "a", subparagraph (3), and paragraph "b",
12 subparagraph (2), shall not be allocated and apportioned to the
13 state, as provided in section 29C.24.

14 Sec. 78. Section 422.9, unnumbered paragraph 1, Code 2018,
15 is amended to read as follows:

16 In computing taxable income of individuals, there shall be
17 deducted from net income the larger of the following amounts:
18 computed under subsection 1 or 2, plus the amount computed
19 under subsection 2A.

20 Sec. 79. Section 422.9, Code 2018, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 2A.a. The following percentage of the
23 qualified business income deduction under section 199A of the
24 Internal Revenue Code taken in calculating federal taxable
25 income for the applicable tax year:

26 (1) For tax years beginning on or after January 1, 2019, but

27 before January 1, 2021, twenty-five percent.

28 (2) For tax years beginning during the 2021 calendar year,
29 fifty percent.

30 (3) For tax years beginning on or after January 1, 2022,
31 seventy-five percent.

32 *b.* Notwithstanding paragraph “*a*”, and section 422.4,
33 subsection 16, paragraph “*e*”, for an entity electing or required
34 to file a composite return under section 422.13, subsection 5,
35 the deduction allowed under this subsection for purposes of the

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1 composite return shall be an amount equal to the applicable
2 percentage described in paragraph “*a*” of the deduction that
3 would be allowable for federal income tax purposes under
4 section 199A of the Internal Revenue Code by an individual
5 taxpayer reporting the same items of income and loss that are
6 included in the composite return.

7 Sec. 80. Section 422.9, subsection 2, paragraph i, Code
8 2018, is amended to read as follows:

9 *i.* The deduction for state sales and use taxes is allowable
10 only if the taxpayer elected to deduct the state sales and use
11 taxes in lieu of state income taxes under section 164 of the
12 Internal Revenue Code. A deduction for state sales and use
13 taxes is not allowed if the taxpayer has taken the deduction
14 for state income taxes or claimed the standard deduction under
15 section 63 of the Internal Revenue Code. This paragraph
16 applies to taxable years beginning after ~~December 31, 2003, and~~
17 ~~before January 1, 2008, and to taxable years beginning after~~
18 ~~December 31, 2009, and before January 1, 2015~~ December 31,
19 2018.

20 Sec. 81. Section 422.9, subsection 2, Code 2018, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. *l.* The limitation on the deduction of
23 certain taxes in section 164(b)(6) of the Internal Revenue
24 Code does not apply in computing taxable income for state tax
25 purposes. A taxpayer is allowed to deduct taxes in computing
26 taxable income as otherwise provided in this subsection without
27 regard to section 164(b)(6), as enacted by Pub. L. No. 115-97,
28 §11042.

29 Sec. 82. Section 422.9, subsection 3, paragraph d, Code
30 2018, is amended to read as follows:

31 *d.* Notwithstanding paragraph “*a*”, for a taxpayer who is
32 engaged in the trade or business of farming as defined in
33 section 263A(e)(4) of the Internal Revenue Code and has a loss
34 from farming as defined in section ~~172(b)(1)(F)~~ 172(b)(1)(B) of
35 the Internal Revenue Code including modifications prescribed by

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1 rule by the director, the Iowa loss from the trade or business
2 of farming is a net operating loss which may be carried back

3 five taxable years prior to the taxable year of the loss.

4 Sec. 83. Section 422.9, subsection 5, Code 2018, is amended
5 to read as follows:

6 5. A taxpayer affected by section 422.8 shall, ~~if the~~
7 ~~optional standard deduction is not used~~, be permitted to deduct
8 only such portion of the total referred to in ~~subsection~~
9 ~~subsections 2 above and 2A~~ as is fairly and equitably allocable
10 to Iowa under the rules prescribed by the director.

11 Sec. 84. Section 422.9, subsections 6 and 7, Code 2018, are
12 amended by striking the subsections.

13 Sec. 85. Section 422.10, subsection 3, paragraph b, Code
14 2018, is amended by striking the paragraph.

15 Sec. 86. Section 422.11B, Code 2018, is amended to read as
16 follows:

17 **422.11B Minimum tax credit.**

18 1.a. There is allowed as a credit against the tax
19 determined in section 422.5, subsection 1, ~~paragraphs “a”~~
20 ~~through “j”~~ for a tax year an amount equal to the minimum tax
21 credit for that tax year.

22 b. The minimum tax credit for a tax year is the excess,
23 if any, of the net minimum tax imposed for all prior tax
24 years beginning on or after January 1, 1987, over the amount
25 allowable as a credit under this section for those prior tax
26 years.

27 2.a. The allowable credit under subsection 1 for a tax
28 year shall not exceed the excess, if any, of the tax determined
29 in section 422.5, subsection 1, ~~paragraphs “a” through “j”~~ over
30 the state alternative minimum tax as determined in section
31 422.5, subsection 2.

32 b. The net minimum tax for a tax year is the excess, if any,
33 of the tax determined in section 422.5, subsection 2, for the
34 tax year over the tax determined in section 422.5, subsection
35 1, ~~paragraphs “a” through “j”~~ for the tax year.

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1 Sec. 87. Section 422.32, subsection 1, paragraph h, Code
2 2018, is amended to read as follows:

3 h. “Internal Revenue Code” means one of the following:

4 (1) For tax years beginning during the 2019 calendar year,
5 “Internal Revenue Code” means the Internal Revenue Code of
6 1954, prior to the date of its redesignation as the Internal
7 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
8 the Internal Revenue Code of 1986 as amended and in effect on
9 January 1, 2015 March 24, 2018. This definition shall not be
10 construed to include any amendment to the Internal Revenue Code
11 enacted after the date specified in the preceding sentence,
12 including any amendment with retroactive applicability or
13 effectiveness.

14 (2) For tax years beginning on or after January 1, 2020,
15 “Internal Revenue Code” means the Internal Revenue Code of
16 1954, prior to the date of its redesignation as the Internal

17 Revenue Code of 1986 by the Tax Reform Act of 1986, or means the
18 Internal Revenue Code of 1986, as amended.

19 Sec. 88. Section 422.33, subsection 1, paragraphs a, b, c,
20 and d, Code 2018, are amended to read as follows:

21 a. On the first twenty-five thousand dollars of taxable
22 income, or any part thereof, the rate of six percent for tax
23 years beginning prior to January 1, 2021, and the rate of
24 five and one-half percent for tax years beginning on or after
25 January 1, 2021.

26 b. On taxable income between twenty-five thousand dollars
27 and one hundred thousand dollars or any part thereof, the rate
28 of eight percent for tax years beginning prior to January 1,
29 2021, and the rate of five and one-half percent for tax years
30 beginning on or after January 1, 2021.

31 c. On taxable income between one hundred thousand dollars
32 and two hundred fifty thousand dollars or any part thereof, the
33 rate of ten percent for tax years beginning prior to January 1,
34 2021, and the rate of nine percent for tax years beginning on
35 or after January 1, 2021.

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1 d. On taxable income of two hundred fifty thousand dollars
2 or more, the rate of twelve percent for tax years beginning
3 prior to January 1, 2021, and the rate of nine and eight-tenths
4 percent for tax years beginning on or after January 1, 2021.

5 Sec. 89. Section 422.33, subsection 4, paragraph a, Code
6 2018, is amended to read as follows:

7 a. In addition to all taxes imposed under this division,
8 there is imposed upon each corporation doing business within
9 the state the greater of the tax determined in subsection 1,
10 paragraphs "a" through "d" or the state alternative minimum tax
11 equal to sixty percent of the maximum state corporate income
12 tax rate for the tax year, rounded to the nearest one-tenth of
13 one percent, of the state alternative minimum taxable income of
14 the taxpayer computed under this subsection.

15 Sec. 90. Section 422.33, subsection 4, paragraph b,
16 subparagraph (1), Code 2018, is amended to read as follows:

17 (1) Add items of tax preference included in federal
18 alternative minimum taxable income under section 57, except
19 subsections (a)(1) and (a)(5), of the Internal Revenue Code,
20 make the adjustments included in federal alternative minimum
21 taxable income under section 56, except subsections (a)(4) and
22 (d), of the Internal Revenue Code, and add losses as required
23 by section 58 of the Internal Revenue Code. In making the
24 adjustment under section 56(c)(1) of the Internal Revenue Code,
25 interest and dividends from federal securities and interest
26 and dividends from state and other political subdivisions and
27 from regulated investment companies exempt from federal income
28 tax under the Internal Revenue Code, net of amortization of
29 any discount or premium, shall be subtracted. For purposes of
30 this subparagraph, "Internal Revenue Code" means the Internal

31 Revenue Code of 1954, prior to the date of its redesignation
 32 as the Internal Revenue Code of 1986 by the Tax Reform Act of
 33 1986, or means the Internal Revenue Code of 1986 as amended and
 34 in effect on December 21, 2017. This definition shall not be
 35 construed to include any amendment to the Internal Revenue Code

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1 enacted after the date specified in the preceding sentence,
 2 including any amendment with retroactive applicability or
 3 effectiveness.
 4 Sec. 91. Section 422.33, subsection 4, Code 2018, is amended
 5 by adding the following new paragraph:
 6 NEW PARAGRAPH. c. This subsection is repealed January 1,
 7 2021, for tax years beginning on or after that date.
 8 Sec. 92. Section 422.33, subsection 5, paragraph e,
 9 subparagraph (2), Code 2018, is amended by striking the
 10 subparagraph.
 11 Sec. 93. Section 422.33, subsection 7, Code 2018, is amended
 12 to read as follows:
 13 7.a.(1) There For tax years beginning before January 1,
 14 2022, there is allowed as a credit against the tax determined
 15 in subsection 1 for a tax year an amount equal to the minimum
 16 tax credit for that tax year.
 17 (2) The minimum tax credit for a tax year is the excess,
 18 if any, of the net minimum tax imposed for all prior tax years
 19 beginning on or after January 1, 1987, but before January
 20 1, 2021, over the amount allowable as a credit under this
 21 subsection for those prior tax years.
 22 b.(1) The allowable credit under paragraph "a" for a tax
 23 year beginning before January 1, 2021, shall not exceed the
 24 excess, if any, of the tax determined in subsection 1 over
 25 the state alternative minimum tax as determined in subsection
 26 4. The allowable credit under paragraph "a" for a tax year
 27 beginning in the 2021 calendar year shall not exceed the tax
 28 determined in subsection 1.
 29 (2) The net minimum tax for a tax year is the excess, if
 30 any, of the tax determined in subsection 4 for the tax year
 31 over the tax determined in subsection 1 for the tax year.
 32 c. This subsection is repealed January 1, 2022, for tax
 33 years beginning on or after that date.
 34 Sec. 94. Section 422.35, subsection 4, Code 2018, is amended
 35 to read as follows:

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1 4.a. Subtract For tax years beginning before January 1,
 2 2022, subtract fifty percent of the federal income taxes paid
 3 or accrued, as the case may be, during the tax year to the
 4 extent payment is for a tax year beginning prior to January 1,
 5 2021, adjusted by any federal income tax refunds; and add the
 6 Iowa income tax deducted in computing said taxable income to

7 the extent the tax was deducted for a tax year beginning prior
8 to January 1, 2021.

9 b. Add the Iowa income tax deducted in computing federal
10 taxable income.

11 Sec. 95. Section 422.35, Code 2018, is amended by adding the
12 following new subsections:

13 NEW SUBSECTION. 14.a. The increased expensing allowance
14 under section 179 of the Internal Revenue Code applies in
15 computing net income for state tax purposes for tax years
16 beginning on or after January 1, 2019, subject to the
17 limitations in this subsection for tax years beginning on or
18 after January 1, 2019, but before January 1, 2020.

19 b. If the taxpayer has taken the increased expensing
20 allowance under section 179 of the Internal Revenue Code for
21 purposes of computing federal taxable income for tax years
22 beginning on or after January 1, 2019, but before January 1,
23 2020, then the taxpayer shall make the following adjustments to
24 federal taxable income when computing net income for state tax
25 purposes for the same tax year:

26 (1) Add the total amount of expense deduction taken on
27 section 179 property allowable for federal tax purposes under
28 section 179 of the Internal Revenue Code.

29 (2) Subtract the amount of expense deduction on section
30 179 property allowable for federal tax purposes under section
31 179 of the Internal Revenue Code, not to exceed one hundred
32 thousand dollars. The subtraction in this subparagraph shall
33 be reduced, but not below zero, by the amount by which the
34 total cost of section 179 property placed in service by the
35 taxpayer during the tax year exceeds four hundred thousand

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1 dollars.

2 (3) Any other adjustments to gains or losses necessary to
3 reflect adjustments made in subparagraphs (1) and (2).

4 c. The director shall adopt rules pursuant to chapter 17A
5 to administer this subsection.

6 NEW SUBSECTION. 15.a. For tax years beginning on or
7 after January 1, 2019, but before January 1, 2020, a taxpayer
8 may elect to take advantage of this subsection in lieu of
9 subsection 14, but only if the taxpayer's total expensing
10 allowance deduction for federal tax purposes under section
11 179 of the Internal Revenue Code that is allocated to the
12 taxpayer from one or more partnerships or limited liability
13 companies electing to have the income taxed directly to the
14 owners exceeds one hundred thousand dollars and would, except
15 as provided in this subsection, be limited for purposes
16 of computing net income for state tax purposes pursuant to
17 subsection 14.

18 b. A taxpayer who elects to take advantage of this
19 subsection shall make the following adjustments to federal
20 taxable income when computing net income for state tax

21 purposes:

22 (1) Add the total amount of section 179 expense deduction
23 allocated to the taxpayer from all partnerships or limited
24 liability companies electing to have the income taxed directly
25 to the owners, to the extent the allocated amount was allowed
26 as a deduction to the taxpayer for federal tax purposes for the
27 tax year under section 179 of the Internal Revenue Code.

28 (2) From the amount added in subparagraph (1), subtract
29 the first one hundred thousand dollars of expensing allowance
30 deduction on section 179 property.

31 (3) The remaining amount, equal to the difference between
32 the amount added in subparagraph (1), and the amount subtracted
33 in subparagraph (2), may be deducted by the taxpayer but such
34 deduction shall be amortized equally over five tax years
35 beginning in the following tax year.

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1 (4) Any other adjustments to gains or losses necessary to
2 reflect adjustments made in subparagraphs (1) through (3).
3 c. A taxpayer who elects to take advantage of this
4 subsection shall not take the increased expensing allowance
5 under section 179 of the Internal Revenue Code for any section
6 179 property placed in service by the taxpayer in computing
7 taxable income for state tax purposes. If the taxpayer has
8 taken any such deduction for purposes of computing federal
9 taxable income, the taxpayer shall make the following
10 adjustments to federal taxable income when computing net income
11 for state tax purposes:

12 (1) Add the total amount of expense deduction for federal
13 tax purposes taken on section 179 property placed in service by
14 the taxpayer under section 179 of the Internal Revenue Code.

15 (2) Subtract the amount of depreciation allowable on such
16 property under the modified accelerated cost recovery system
17 described in section 168 of the Internal Revenue Code, without
18 regard to section 168(k) of the Internal Revenue Code. The
19 taxpayer shall continue to take depreciation on the applicable
20 property in future tax years to the extent allowed under the
21 modified accelerated cost recovery system described in section
22 168 of the Internal Revenue Code, without regard to section
23 168(k) of the Internal Revenue Code.

24 (3) Any other adjustments to gains or losses necessary to
25 reflect the adjustments made in subparagraphs (1) and (2).

26 d. The director shall adopt rules pursuant to chapter 17A
27 to administer this subsection.

28 Sec. 96. Section 422.35, subsection 19A, unnumbered
29 paragraph 1, Code 2018, is amended by striking the unnumbered
30 paragraph and inserting in lieu thereof the following:

31 The additional first-year depreciation allowance authorized
32 in section 168(k) of the Internal Revenue Code does not
33 apply in computing net income for state tax purposes. If the
34 taxpayer has taken the additional first-year depreciation

35 allowance for purposes of computing federal taxable income,

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1 then the taxpayer shall make the following adjustments to
2 federal taxable income when computing net income for state tax
3 purposes:

4 Sec. 97.EFFECTIVE DATE. This division of this Act takes
5 effect January 1, 2019.

6 Sec. 98.APPLICABILITY. This division of this Act applies
7 to tax years beginning on or after January 1, 2019.

8 DIVISION IX

9 FUTURE CONTINGENT INCOME AND CORPORATE TAX AND FRANCHISE TAX
10 CHANGES

11 Sec. 99. Section 12D.9, subsection 2, Code 2018, is amended
12 to read as follows:

13 2. State income tax treatment of the Iowa educational
14 savings plan trust shall be as provided in section 422.7,
15 subsections 18, 32, and 33.

16 Sec. 100. Section 217.39, Code 2018, is amended to read as
17 follows:

18 **217.39 Persecuted victims of World War II — reparations —**
19 **heirs.**

20 Notwithstanding any other law of this state, payments paid
21 to and income from lost property of a victim of persecution
22 for racial, ethnic, or religious reasons by Nazi Germany or
23 any other Axis regime or as an heir of such victim which is
24 ~~exempt from state income tax as provided described~~ in section
25 422.7, subsection 35, Code 2018, shall not be considered as
26 income or an asset for determining the eligibility for state or
27 local government benefit or entitlement programs. The proceeds
28 are not subject to recoupment for the receipt of governmental
29 benefits or entitlements, and liens, except liens for child
30 support, are not enforceable against these sums for any reason.

31 Sec. 101. Section 422.4, subsection 1, paragraphs b and c,
32 Code 2018, are amended to read as follows:

33 b. "*Cumulative inflation factor*" means the product of the
34 annual inflation factor for the ~~1988~~ calendar year beginning on
35 January 1 of the calendar year that this division of this Act

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1 takes effect and all annual inflation factors for subsequent
2 calendar years as determined pursuant to this subsection. The
3 cumulative inflation factor applies to all tax years beginning
4 on or after January 1 of the calendar year for which the latest
5 annual inflation factor has been determined.

6 c. The annual inflation factor for the ~~1988~~ calendar year
7 beginning on January 1 of the calendar year that this division
8 of this Act takes effect is one hundred percent.

9 Sec. 102. Section 422.4, subsection 2, Code 2018, is amended
10 by striking the subsection.

11 Sec. 103. Section 422.4, subsection 16, Code 2018, is
12 amended by striking the subsection and inserting in lieu
13 thereof the following:

14 16. “*Taxable income*” means, in the case of individuals,
15 the net income as defined in section 422.7 minus the deduction
16 allowed by section 422.9, if available. “*Taxable income*” means,
17 in the case of estates or trusts, the taxable income without
18 a deduction for personal exemption as computed for federal
19 income tax purposes under the Internal Revenue Code, but with
20 the adjustments specified in section 422.7, and the deduction
21 allowed by section 422.9, if available.

22 Sec. 104. Section 422.5, subsection 1, paragraph j,
23 subparagraph (2), subparagraph division (b), Code 2018, is
24 amended to read as follows:

25 (b) This subparagraph (2) shall not affect the amount of
26 the taxpayer’s checkoffs under this division, the credits from
27 tax provided under this division, and the allocation of these
28 credits between spouses if the taxpayers filed separate returns
29 ~~or separately on combined returns.~~

30 Sec. 105. Section 422.5, subsection 2, Code 2018, is amended
31 by striking the subsection.

32 Sec. 106. Section 422.5, subsections 3 and 3B, Code 2018,
33 are amended to read as follows:

34 3.a. The tax shall not be imposed on a resident or
35 nonresident whose net income, as defined in section 422.7, is

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1 thirteen thousand five hundred dollars or less in the case
2 of married persons filing jointly ~~or filing separately on a~~
3 ~~combined return~~, heads of household, and surviving spouses or
4 nine thousand dollars or less in the case of all other persons;
5 but in the event that the payment of tax under this division
6 would reduce the net income to less than thirteen thousand five
7 hundred dollars or nine thousand dollars as applicable, then
8 the tax shall be reduced to that amount which would result
9 in allowing the taxpayer to retain a net income of thirteen
10 thousand five hundred dollars or nine thousand dollars as
11 applicable. The preceding sentence does not apply to estates
12 or trusts. For the purpose of this subsection, the entire net
13 income, including any part of the net income not allocated
14 to Iowa, shall be taken into account. For purposes of this
15 subsection, net income includes all amounts of pensions or
16 other retirement income, except for military retirement pay
17 excluded under section 422.7, subsection 31A, paragraph “a”,
18 or section 422.7, subsection 31B, paragraph “a”, received from
19 any source which is not taxable under this division as a result
20 of the government pension exclusions in section 422.7, or any
21 other state law. In calculating net income for purposes of
22 this subsection, any amount of itemized or standard deduction,
23 personal exemption deduction, or qualified business income
24 deduction that was allowed as a deduction in computing federal

25 taxable income under the Internal Revenue Code shall be added
 26 back. If the combined net income of a husband and wife exceeds
 27 thirteen thousand five hundred dollars, neither of them shall
 28 receive the benefit of this subsection, and it is immaterial
 29 whether they file a joint return or separate returns. However,
 30 if a husband and wife file separate returns and have a combined
 31 net income of thirteen thousand five hundred dollars or less,
 32 neither spouse shall receive the benefit of this paragraph,
 33 if one spouse has a net operating loss and elects to carry
 34 back or carry forward the loss as provided under the Internal
 35 Revenue Code or in section 422.9, ~~subsection 3.~~ A person who

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1 is claimed as a dependent by another person as defined in
 2 section 422.12 shall not receive the benefit of this subsection
 3 if the person claiming the dependent has net income exceeding
 4 thirteen thousand five hundred dollars or nine thousand dollars
 5 as applicable or the person claiming the dependent and the
 6 person's spouse have combined net income exceeding thirteen
 7 thousand five hundred dollars or nine thousand dollars as
 8 applicable.

9 *b.* In lieu of the computation in subsection 1 ~~or 2~~, or in
 10 paragraph "a" of this subsection, if the married persons;
 11 ~~filing jointly or filing separately on a combined return,~~
 12 head of household's, or surviving spouse's net income exceeds
 13 thirteen thousand five hundred dollars, the regular tax imposed
 14 under this division shall be the lesser of the maximum state
 15 individual income tax rate times the portion of the net income
 16 in excess of thirteen thousand five hundred dollars or the
 17 regular tax liability computed without regard to this sentence.
 18 Taxpayers electing to file separately shall compute the
 19 alternate tax described in this paragraph using the total net
 20 income of the husband and wife. The alternate tax described
 21 in this paragraph does not apply if one spouse elects to carry
 22 back or carry forward ~~the a net operating~~ loss as provided
 23 under the Internal Revenue Code or in section 422.9, ~~subsection~~
 24 ~~3.~~

25 3B.a. The tax shall not be imposed on a resident or
 26 nonresident who is at least sixty-five years old on December
 27 31 of the tax year and whose net income, as defined in section
 28 422.7, is thirty-two thousand dollars or less in the case
 29 of married persons filing jointly ~~or filing separately on a~~
 30 ~~combined return,~~ heads of household, and surviving spouses or
 31 twenty-four thousand dollars or less in the case of all other
 32 persons; but in the event that the payment of tax under this
 33 division would reduce the net income to less than thirty-two
 34 thousand dollars or twenty-four thousand dollars as applicable,
 35 then the tax shall be reduced to that amount which would result

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1 in allowing the taxpayer to retain a net income of thirty-two
2 thousand dollars or twenty-four thousand dollars as applicable.
3 The preceding sentence does not apply to estates or trusts.
4 For the purpose of this subsection, the entire net income,
5 including any part of the net income not allocated to Iowa,
6 shall be taken into account. For purposes of this subsection,
7 net income includes all amounts of pensions or other retirement
8 income, except for military retirement pay excluded under
9 section 422.7, subsection 31A, paragraph "a", or section 422.7,
10 subsection 31B, paragraph "a", received from any source which is
11 not taxable under this division as a result of the government
12 pension exclusions in section 422.7, or any other state law.
13 In calculating net income for purposes of this subsection, any
14 amount of itemized or standard deduction, personal exemption
15 deduction, or qualified business income deduction that was
16 allowed as a deduction in computing federal taxable income
17 under the Internal Revenue Code shall be added back. If the
18 combined net income of a husband and wife exceeds thirty-two
19 thousand dollars, neither of them shall receive the benefit
20 of this subsection, and it is immaterial whether they file a
21 joint return or separate returns. However, if a husband and
22 wife file separate returns and have a combined net income of
23 thirty-two thousand dollars or less, neither spouse shall
24 receive the benefit of this paragraph, if one spouse has a net
25 operating loss and elects to carry back or carry forward the
26 loss as provided under the Internal Revenue Code or in section
27 422.9, ~~subsection 3.~~ A person who is claimed as a dependent by
28 another person as defined in section 422.12 shall not receive
29 the benefit of this subsection if the person claiming the
30 dependent has net income exceeding thirty-two thousand dollars
31 or twenty-four thousand dollars as applicable or the person
32 claiming the dependent and the person's spouse have combined
33 net income exceeding thirty-two thousand dollars or twenty-four
34 thousand dollars as applicable.
35 b. In lieu of the computation in subsection 1, ~~2,~~ or 3, if

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1 the married persons', ~~filing jointly or filing separately on~~
2 ~~a combined return,~~ head of household's, or surviving spouse's
3 net income exceeds thirty-two thousand dollars, the regular
4 tax imposed under this division shall be the lesser of the
5 maximum state individual income tax rate times the portion of
6 the net income in excess of thirty-two thousand dollars or the
7 regular tax liability computed without regard to this sentence.
8 Taxpayers electing to file separately shall compute the
9 alternate tax described in this paragraph using the total net
10 income of the husband and wife. The alternate tax described
11 in this paragraph does not apply if one spouse elects to carry
12 back or carry forward ~~the~~ a net operating loss as provided

13 ~~under the Internal Revenue Code or in section 422.9, subsection~~
14 ~~3.~~

15 c. This subsection applies even though one spouse has not
16 attained the age of sixty-five, if the other spouse is at least
17 sixty-five at the end of the tax year.

18 Sec. 107. Section 422.5A, as enacted in this Act, Code
19 2018, is amended by striking the section and inserting in lieu
20 thereof the following:

21 **422.5A Tax rates.**

22 1. The tax imposed in section 422.5 shall be calculated
23 at the following rates in the case of a married couple filing
24 jointly:

25 a. On all taxable income from 0 through \$12,000, the rate of
26 4.40 percent.

27 b. On all taxable income exceeding \$12,000 but not exceeding
28 \$60,000, the rate of 4.82 percent.

29 c. On all taxable income exceeding \$60,000 but not exceeding
30 \$150,000, the rate of 5.70 percent.

31 d. On all taxable income exceeding \$150,000, the rate of
32 6.50 percent.

33 2. The tax imposed in section 422.5 shall be calculated at
34 the following rates in the case of any taxpayer other than a
35 married couple filing jointly:

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1 a. On all taxable income from 0 through \$6,000, the rate of
2 4.40 percent.

3 b. On all taxable income exceeding \$6,000 but not exceeding
4 \$30,000, the rate of 4.82 percent.

5 c. On all taxable income exceeding \$30,000 but not exceeding
6 \$75,000, the rate of 5.70 percent.

7 d. On all taxable income exceeding \$75,000, the rate of 6.50
8 percent.

9 Sec. 108. Section 422.7, unnumbered paragraph 1, Code 2018,
10 is amended to read as follows:

11 The term "*net income*" means the ~~adjusted gross income before~~
12 ~~the net operating loss deduction~~ taxable income as properly
13 computed for federal income tax purposes under section 63 of
14 the Internal Revenue Code, with the following adjustments:

15 Sec. 109. Section 422.7, Code 2018, is amended by adding the
16 following new subsections:

17 NEW SUBSECTION. 4. Add any federal net operating loss
18 deduction carried over from a taxable year beginning prior to
19 January 1 of the calendar year that this division of this Act
20 takes effect.

21 NEW SUBSECTION. 6.a. For tax years beginning in the
22 calendar year that this division of this Act takes effect,
23 subtract the amount of federal income taxes paid during the
24 tax year to the extent payment is for a tax year beginning
25 prior to January 1 of the calendar year that this division of
26 this Act takes effect, and add any federal income tax refunds

27 received during the tax year to the extent the federal income
28 tax was deducted for a tax year beginning prior to January 1 of
29 the calendar year that this division of this Act takes effect.
30 Where married persons who have filed a joint federal income
31 tax return file separately for state tax purposes, such total
32 shall be divided between them according to the portion of the
33 total paid by each. Federal income taxes paid for a tax year
34 in which an Iowa return was not required to be filed shall not
35 be subtracted.

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1 *b.* Notwithstanding any other provision of law to the
2 contrary, amounts subtracted or added pursuant to this
3 subsection shall not be included in the calculation of net
4 income for purposes of section 422.5, subsection 3 or 3B, or
5 section 422.13.

6 Sec. 110. Section 422.7, subsection 5, Code 2018, is amended
7 to read as follows:

8 5. Individual taxpayers and married taxpayers who file a
9 joint federal income tax return and who elect to file a joint
10 return; ~~or separate returns; or separate filing on a combined~~
11 ~~return~~ for Iowa income tax purposes, may avail themselves of
12 the disability income exclusion and shall compute the amount
13 of the disability income exclusion subject to the limitations
14 for joint federal income tax return filers provided by section
15 105(d) of the Internal Revenue Code. The disability income
16 exclusion provided in section 105(d) of the Internal Revenue
17 Code, as amended up to and including December 31, 1982,
18 continues to apply for state income tax purposes for tax years
19 beginning on or after January 1, 1984.

20 Sec. 111. Section 422.7, subsection 13, Code 2018, is
21 amended by striking the subsection and inserting in lieu
22 thereof the following:

23 13. Subtract, to the extent included, the amount of social
24 security benefits taxable under section 86 of the Internal
25 Revenue Code.

26 Sec. 112. Section 422.7, Code 2018, is amended by adding the
27 following new subsections:

28 NEW SUBSECTION. 18. Add, to the extent deducted for federal
29 tax purposes, charitable contributions under section 170 of
30 the Internal Revenue Code to the extent such contribution was
31 made to an organization for the purpose of deposit in the Iowa
32 education savings plan trust established in chapter 12D, and
33 the taxpayer designated that any part of the contribution be
34 used for the direct benefit of any dependent of the taxpayer or
35 any other single beneficiary designated by the taxpayer.

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1 NEW SUBSECTION. 19.a. Subtract, to the extent included,
2 income resulting from the payment by an employer of the

3 taxpayer, whether paid to the taxpayer or to a lender, of
4 principal or interest on any qualified education loan incurred
5 by the taxpayer.

6 **b.** If the taxpayer has a deduction in computing federal
7 taxable income under section 221 of the Internal Revenue Code
8 for interest on a qualified education loan, the taxpayer shall
9 recompute for purposes of this subsection the amount of the
10 deduction under paragraph “a” by not subtracting any amount of
11 income resulting from the employer’s payment of interest on a
12 qualified education loan that was also deducted by the taxpayer
13 under section 221 of the Internal Revenue Code.

14 **c.** For purposes of this subsection, “*qualified education*
15 *loan*” means the same as defined in section 221 of the Internal
16 Revenue Code.

17 Sec. 113. Section 422.7, subsection 21, Code 2018, is
18 amended by striking the subsection and inserting in lieu
19 thereof the following:

20 21.a. For purposes of this subsection:

21 (1) “*Farming business*” means the raising and harvesting
22 of crops or forest or fruit trees, the rearing, feeding, and
23 management of livestock, or horticulture, all for intended
24 profit.

25 (2) “*Held*” shall be determined with reference to the holding
26 period provisions of section 1223 of the Internal Revenue Code
27 and the federal regulations pursuant thereto.

28 (3) “*Materially participated*” means the same as “*material*
29 *participation*” in section 469(h) of the Internal Revenue Code.

30 (4)(a) “*Real property used in a farming business*” means all
31 tracts of land and the improvements and structures located on
32 them which are in good faith used primarily for agricultural
33 purposes except buildings which are primarily used or intended
34 for human habitation. Land and the nonresidential improvements
35 and structures located on it shall be considered to be used

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1 primarily for agricultural purposes if its principal use is
2 devoted to the raising and harvesting of crops or forest or
3 fruit trees, the rearing, feeding, and management of livestock,
4 or horticulture, all for intended profit. Woodland, wasteland,
5 and pastureland shall qualify but only if such land is held or
6 operated in conjunction with real property that otherwise meets
7 the requirements of this paragraph.

8 (b) Real property classified as agricultural property for
9 Iowa property tax purposes, except real property described
10 in section 441.21, subsection 12, paragraphs “a” or “b”,
11 shall be presumed to be real property used in a farming
12 business. This presumption is rebuttable by the department by
13 a preponderance of evidence that the real property did not meet
14 the requirements of subparagraph division (a).

15 (5) “*Relative*” means an individual that satisfies one or
16 more of the following conditions:

- 17 (a) The individual is related to the taxpayer by
18 consanguinity within the second degree as determined by common
19 law.
- 20 (b) The individual is a lineal descendent of the taxpayer.
21 For purposes of this subparagraph division, "*lineal descendent*"
22 means children of the taxpayer, including legally adopted
23 children and biological children, stepchildren, grandchildren,
24 great-grandchildren, and any other lineal descendent of the
25 taxpayer.
- 26 b. Subtract the net capital gain from the sale of real
27 property used in a farming business if all of the following
28 conditions are satisfied:
- 29 (1) The taxpayer has materially participated in the farming
30 business for a minimum of ten years immediately preceding the
31 sale.
- 32 (2) The taxpayer has held the real property used in a
33 farming business for a minimum of ten years immediately
34 preceding the sale.
- 35 (3) The real property used in a farming business is sold to

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- 1 a relative of the taxpayer.
- 2 c.(1) If the relative to whom the taxpayer sold the
3 real property used in a farming business that qualified
4 for the deduction in this subsection subsequently sells or
5 otherwise transfers all or part of said real property to a
6 person who is not a relative of the taxpayer within five years
7 of the original sale, the subsequent sale or transfer shall
8 be considered prima facie evidence that the original sale
9 was entered into by the taxpayer primarily to obtain the tax
10 benefits provided in this subsection, and the deduction under
11 this subsection for the original sale shall be disallowed for
12 the taxpayer with respect to that real property subsequently
13 sold or transferred by the relative.
- 14 (2) The prima facie determination in subparagraph (1) may be
15 rebutted by the taxpayer by a preponderance of evidence showing
16 that at the time of the original sale by the taxpayer of the
17 real property used in a farming business, all of the following
18 conditions were satisfied:
- 19 (a) The taxpayer had a substantial purpose for entering into
20 the sale transaction apart from the state tax benefits.
- 21 (b) The taxpayer did not intend that the real property would
22 subsequently be sold or transferred to a person who is not a
23 relative of the taxpayer.
- 24 (c) The taxpayer had no actual or constructive knowledge of
25 the buyer's intent to subsequently sell or transfer the real
26 property to a person who is not a relative of the taxpayer.
- 27 (3) Notwithstanding section 422.25, subsection 1, paragraph
28 "a", the period of limitation for examination and determination
29 of tax with regard to the deduction provided in this subsection
30 shall be one of the following dates, whichever occurs later:

31 (a) The date which is three years after the date that the
 32 return upon which the deduction in this subsection is claimed
 33 is filed.

34 (b) The date which is three years after the date that the
 35 return upon which the deduction in this subsection is claimed

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1 is due, including any extensions.

2 (c) The date which is six years after the date of the sale
 3 of the real property used in a farming business for which the
 4 deduction in this subsection is claimed.

5 *d.* To the extent otherwise allowed, the deduction provided
 6 in this subsection is not allowed for purposes of computing the
 7 income for the taxable year or years for which a net operating
 8 loss is deducted under the Internal Revenue Code or under
 9 subsection 422.9.

10 Sec. 114. Section 422.7, subsection 29, Code 2018, is
 11 amended to read as follows:

12 29.g. Subtract For a taxpayer who is sixty-five years
 13 of age or older and whose net income is less than one hundred
 14 thousand dollars, subtract, to the extent not otherwise
 15 deducted in computing adjusted gross federal taxable income,
 16 the amounts paid by the taxpayer for the purchase of health
 17 benefits coverage or insurance for the taxpayer or taxpayer's
 18 spouse or dependent.

19 *b.* For purposes of this subsection, "*net income*" means net
 20 income as properly computed under this section without regard
 21 to the deduction in this subsection and with the following
 22 additional adjustments:

23 (1) Add back any amount of pensions or other retirement
 24 income received from any source which is not taxable under this
 25 division, including but not limited to amounts deductible under
 26 subsections 13, 31, 31A, and 31B.

27 (2) Add back any amount of itemized or standard deduction,
 28 personal exemption deduction, or qualified business income
 29 deduction that was allowed as a deduction from federal adjusted
 30 gross income in computing federal taxable income under the
 31 Internal Revenue Code.

32 Sec. 115. Section 422.7, subsection 31, Code 2018, is
 33 amended to read as follows:

34 31. For a person who is disabled, or is fifty-five years of
 35 age or older, or is the surviving spouse of an individual or

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1 a survivor having an insurable interest in an individual who
 2 would have qualified for the exemption under this subsection
 3 for the tax year, subtract, to the extent included, the
 4 total amount of a governmental or other pension or retirement
 5 pay, including, but not limited to, defined benefit or
 6 defined contribution plans, annuities, individual retirement

7 accounts, plans maintained or contributed to by an employer,
8 or maintained or contributed to by a self-employed person as
9 an employer, and deferred compensation plans or any earnings
10 attributable to the deferred compensation plans, up to a
11 maximum of six thousand dollars for a person, other than a
12 husband or wife, who files a separate state income tax return
13 and up to a maximum of twelve thousand dollars for a husband
14 and wife who file a joint state income tax return. However, a
15 surviving spouse who is not disabled or fifty-five years of age
16 or older can only exclude the amount of pension or retirement
17 pay received as a result of the death of the other spouse. A
18 husband and wife filing separate state income tax returns ~~or~~
19 ~~separately on a combined state return~~ are allowed a combined
20 maximum exclusion under this subsection of up to twelve
21 thousand dollars. The twelve thousand dollar exclusion shall
22 be allocated to the husband or wife in the proportion that each
23 spouse's respective pension and retirement pay received bears
24 to total combined pension and retirement pay received.

25 Sec. 116. Section 422.7, subsection 41, Code 2018, is
26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. *Or.* Add, to the extent deducted for
28 federal tax purposes, interest, taxes, and other miscellaneous
29 expenses to the extent such amounts are eligible home costs
30 in connection with a qualified home purchase that were paid
31 or reimbursed from funds in a first-time homebuyer savings
32 account.

33 Sec. 117. Section 422.7, subsection 47, Code 2018, is
34 amended to read as follows:

35 47. Subtract, to the extent not otherwise deducted in

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1 computing ~~adjusted gross~~ federal taxable income, the amounts
2 paid by the taxpayer to the department of veterans affairs for
3 the purpose of providing grants under the injured veterans
4 grant program established in section 35A.14. Amounts
5 subtracted under this subsection shall not be used by the
6 taxpayer in computing the amount of charitable contributions as
7 defined by section 170 of the Internal Revenue Code.

8 Sec. 118. Section 422.7, subsections 3, 7, 8, 9, 10, 11, 14,
9 15, 16, 20, 22, 24, 25, 26, 30, 35, 36, 37, 39, 39B, 40, 43, 45,
10 49, 53, 55, 56, 57, and 58, Code 2018, are amended by striking
11 the subsections.

12 Sec. 119. Section 422.8, subsection 4, Code 2018, is amended
13 by striking the subsection.

14 Sec. 120. Section 422.9, Code 2018, is amended by striking
15 the section and inserting in lieu thereof the following:

16 **422.9 Carry over of Iowa net operating loss.**

17 Any Iowa net operating loss carried over from a taxable year
18 beginning prior to January 1 of the calendar year that this
19 division of this Act takes effect may be deducted as provided
20 in section 422.9, subsection 3, Code 2018.

21 Sec. 121. Section 422.11B, Code 2018, is amended to read as
22 follows:

23 **422.11B Minimum tax credit.**

24 *1.a.* ~~There~~ For tax years beginning before January 1 of the
25 calendar year following the calendar year that this division
26 of this Act takes effect, there is allowed as a credit against
27 the tax determined in section 422.5, subsection 1, ~~paragraphs~~
28 ~~“a” through “j”~~ for a tax year an amount equal to the minimum
29 tax credit for that tax year.

30 *b.* The minimum tax credit for a tax year is the excess, if
31 any, of the net minimum tax imposed for all prior tax years
32 beginning on or after January 1, 1987, but before January 1 of
33 the calendar year that this division of this Act takes effect,
34 over the amount allowable as a credit under this section for
35 those prior tax years.

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1 *2.a.* The allowable credit under subsection 1 for a tax
2 year beginning before January 1 of the calendar year that this
3 division of this Act takes effect shall not exceed the excess,
4 if any, of the tax determined in section 422.5, subsection
5 1, ~~paragraphs “a” through “j”~~ over the state alternative
6 minimum tax as determined in section 422.5, subsection 2, Code
7 2018. The allowable credit under subsection 1 for a tax year
8 beginning in the calendar year that this division of this Act
9 takes effect shall not exceed the tax determined under section
10 422.5, subsection 1.

11 *b.* The net minimum tax for a tax year is the excess, if
12 any, of the tax determined in section 422.5, subsection 2,
13 Code 2018, for the tax year over the tax determined in section
14 422.5, subsection 1, ~~paragraphs “a” through “j”~~ for the tax
15 year.

16 *3.* This section is repealed January 1 of the calendar year
17 following the calendar year that this division of this Act
18 takes effect, for tax years beginning on or after January 1
19 of the calendar year following the calendar year that this
20 division of this Act takes effect.

21 Sec. 122. Section 422.11S, subsection 4, Code 2018, is
22 amended to read as follows:

23 *4.* Married taxpayers who file separate returns ~~or file~~
24 ~~separately on a combined return form~~ must determine the tax
25 credit under subsection 1 based upon their combined net income
26 and allocate the total credit amount to each spouse in the
27 proportion that each spouse's respective net income bears to
28 the total combined net income. Nonresidents or part-year
29 residents of Iowa must determine their tax credit in the ratio
30 of their Iowa source net income to their all source net income.
31 Nonresidents or part-year residents who are married and elect
32 to file separate returns ~~or to file separately on a combined~~
33 ~~return form~~ must allocate the tax credit between the spouses
34 in the ratio of each spouse's Iowa source net income to the

35 combined Iowa source net income of the taxpayers.

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1 Sec. 123. Section 422.12B, subsection 2, Code 2018, is
2 amended to read as follows:

3 2. Married taxpayers electing to file separate returns ~~or~~
4 ~~filing separately on a combined return~~ may avail themselves
5 of the earned income credit by allocating the earned income
6 credit to each spouse in the proportion that each spouse's
7 respective earned income bears to the total combined earned
8 income. Taxpayers affected by the allocation provisions of
9 section 422.8 shall be permitted a deduction for the credit
10 only in the amount fairly and equitably allocable to Iowa under
11 rules prescribed by the director.

12 Sec. 124. Section 422.12C, subsection 4, Code 2018, is
13 amended to read as follows:

14 4. Married taxpayers who have filed joint federal returns
15 electing to file separate returns ~~or to file separately on a~~
16 ~~combined return form~~ must determine the child and dependent
17 care credit under subsection 1 or the early childhood
18 development tax credit under subsection 2 based upon their
19 combined net income and allocate the total credit amount to
20 each spouse in the proportion that each spouse's respective net
21 income bears to the total combined net income. Nonresidents
22 or part-year residents of Iowa must determine their Iowa child
23 and dependent care credit in the ratio of their Iowa source
24 net income to their all source net income. Nonresidents or
25 part-year residents who are married and elect to file separate
26 returns ~~or to file separately on a combined return form~~ must
27 allocate the Iowa child and dependent care credit between the
28 spouses in the ratio of each spouse's Iowa source net income to
29 the combined Iowa source net income of the taxpayers.

30 Sec. 125. Section 422.13, subsection 1, paragraph c, Code
31 2018, is amended by striking the paragraph.

32 Sec. 126. Section 422.16, subsection 1, paragraph f, Code
33 2018, is amended by striking the paragraph.

34 Sec. 127. Section 422.21, subsections 2, 5, and 7, Code
35 2018, are amended to read as follows:

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1 2. An individual in the armed forces of the United States
2 serving in an area designated by the president of the United
3 States or the United States Congress as a combat zone or as a
4 qualified hazardous duty area, or deployed outside the United
5 States away from the individual's permanent duty station while
6 participating in an operation designated by the United States
7 secretary of defense as a contingency operation as defined
8 in 10 U.S.C. §101(a)(13), or which became such a contingency
9 operation by the operation of law, or an individual serving in
10 support of those forces, is allowed the same additional time

11 period after leaving the combat zone or the qualified hazardous
 12 duty area, or ceasing to participate in such contingency
 13 operation, or after a period of continuous hospitalization, to
 14 file a state income tax return or perform other acts related
 15 to the department, as would constitute timely filing of the
 16 return or timely performance of other acts described in section
 17 7508(a) of the Internal Revenue Code. An individual on active
 18 duty federal military service in the armed forces, armed forces
 19 military reserve, or national guard who is deployed outside
 20 the United States in other than a combat zone, qualified
 21 hazardous duty area, or contingency operation is allowed the
 22 same additional period of time described in section 7508(a)
 23 of the Internal Revenue Code to file a state income tax
 24 return or perform other acts related to the department. For
 25 the purposes of this subsection, “*other acts related to the*
 26 *department*” includes filing claims for refund for any tax
 27 administered by the department, making tax payments other than
 28 withholding payments, filing appeals on the tax matters, filing
 29 other tax returns, and performing other acts described in the
 30 department’s rules. The additional time period allowed applies
 31 to the spouse of the individual described in this subsection
 32 to the extent the spouse files jointly ~~or separately on the~~
 33 ~~combined return form~~ with the individual or when the spouse
 34 is a party with the individual to any matter for which the
 35 additional time period is allowed.

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1 5. The director shall determine for the ~~1989~~ calendar year
 2 that this division of this Act takes effect and each subsequent
 3 calendar year the annual and cumulative inflation factors for
 4 each calendar year to be applied to tax years beginning on or
 5 after January 1 of that calendar year. The director shall
 6 compute the new dollar amounts as specified to be adjusted in
 7 section 422.5 by the latest cumulative inflation factor and
 8 round off the result to the nearest one dollar. The annual and
 9 cumulative inflation factors determined by the director are not
 10 rules as defined in section 17A.2, subsection 11. ~~The director~~
 11 ~~shall determine for the 1990 calendar year and each subsequent~~
 12 ~~calendar year the annual and cumulative standard deduction~~
 13 ~~factors to be applied to tax years beginning on or after~~
 14 ~~January 1 of that calendar year. The director shall compute~~
 15 ~~the new dollar amounts of the standard deductions specified in~~
 16 ~~section 422.9, subsection 1, by the latest cumulative standard~~
 17 ~~deduction factor and round off the result to the nearest ten~~
 18 ~~dollars. The annual and cumulative standard deduction factors~~
 19 ~~determined by the director are not rules as defined in section~~
 20 ~~17A.2, subsection 11.~~
 21 7. If married taxpayers file a joint return ~~or file~~
 22 ~~separately on a combined return~~ in accordance with rules
 23 prescribed by the director, both spouses are jointly and
 24 severally liable for the total tax due on the return, except

25 when one spouse is considered to be an innocent spouse under
 26 criteria established pursuant to section 6015 of the Internal
 27 Revenue Code.

28 Sec. 128. Section 422.35, unnumbered paragraph 1, Code
 29 2018, is amended to read as follows:

30 The term “*net income*” means the taxable income ~~before the~~
 31 ~~net operating loss deduction~~, as properly computed for federal
 32 income tax purposes under the Internal Revenue Code, with the
 33 following adjustments:

34 Sec. 129. Section 422.35, subsection 11, Code 2018, is
 35 amended by striking the subsection and inserting in lieu

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1 thereof the following:

2 11.a. Add any federal net operating loss deduction carried
 3 over from a taxable year beginning prior to January 1 of the
 4 calendar year that this division of this Act takes effect.

5 b. Any Iowa net operating loss carried over from a taxable
 6 year beginning prior to January 1 of the calendar year that
 7 this division of this Act takes effect may be deducted as
 8 provided in section 422.35, subsection 11, Code 2018.

9 Sec. 130. Section 422.35, subsections 3, 4, 5, 7, 8, 10,
 16, 17, 18, 19, 19B, 20, 22, and 24, Code 2018, are amended by
 11 striking the subsections.

12 Sec. 131. Section 541B.3, subsection 1, paragraph b, Code
 13 2018, is amended to read as follows:

14 b. A married couple electing to file a joint Iowa individual
 15 income tax return may establish a joint first-time homebuyer
 16 savings account. Married taxpayers electing to file separate
 17 tax returns ~~or separately on a combined tax return~~ for Iowa tax
 18 purposes shall not establish or maintain a joint first-time
 19 homebuyer savings account.

20 Sec. 132. Section 541B.6, Code 2018, is amended to read as
 21 follows:

22 **541B.6 Tax considerations.**

23 The state income tax treatment of a first-time homebuyer
 24 savings account shall be as provided in section 422.7,
 25 subsection 41, ~~and section 422.9, subsection 2, paragraph “k”.~~

26 Sec. 133. CONTINGENT EFFECTIVE DATE — NET GENERAL FUND
 27 REVENUES CALCULATION — ANNUAL REPORTS.

28 1. This division of this Act takes effect on January 1,
 29 2023, if both of the following conditions are satisfied:

30 a. The net general fund revenues for the fiscal year ending
 31 June 30, 2022, equal or exceed eight billion three hundred
 32 fourteen million six hundred thousand dollars.

33 b. The net general fund revenues for the fiscal year ending
 34 June 30, 2022, equal or exceed one hundred and four percent of
 35 the net general fund revenues for the fiscal year ending June

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1 30, 2021.

2 2. If the provisions of subsection 1 are not satisfied
3 and this division of this Act does not take effect on January
4 1, 2023, then this division of this Act shall take effect on
5 January 1 following the first fiscal year for which both of the
6 following conditions are satisfied:

7 a. The net general fund revenues for that fiscal year ending
8 June 30 equal or exceed eight billion three hundred fourteen
9 million six hundred thousand dollars.

10 b. The net general fund revenues for that fiscal year ending
11 June 30 equal or exceed one hundred and four percent of the
12 net general fund revenues for the fiscal year ending June 30
13 immediately preceding that fiscal year.

14 3.a. For purposes of this section, “net general fund
15 revenues” means total appropriated general fund revenues
16 excluding transfers from reserve funds, less the sum of tax and
17 other refunds and school infrastructure transfers, all made on
18 an accrual basis as computed for purposes of the comprehensive
19 annual financial reports of the state.

20 b. Net general fund revenues shall be calculated by
21 the department of management, in consultation with the
22 department of revenue, for each fiscal year beginning on
23 or after July 1, 2020, until such time as this division of
24 this Act takes effect, in accordance with rules adopted by
25 the department of management. The department of management
26 shall adopt rules pursuant to chapter 17A for calculating net
27 general fund revenues as defined in paragraph “a”, including
28 rules defining “total appropriated general fund revenues”,
29 “transfers from reserve funds”, “tax and other refunds”, and
30 “school infrastructure transfers”, and including the types
31 and categories of receipts that will be included within each
32 definition and in the calculation of net general fund revenues.

33 c. The department of management shall submit an annual
34 report to the governor and general assembly by November 1
35 following the close of each fiscal year beginning on or after

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1 July 1, 2020, until such time as this division of this Act
2 takes effect, which report shall identify the net general fund
3 revenues for the fiscal year and shall include a detailed
4 description of the net general fund revenues calculation made
5 by the department of management.

6 Sec. 134.APPLICABILITY. This division of this Act applies
7 to tax years beginning on or after the effective date of this
8 division of this Act.

9 DIVISION X

10 CHANGES TO IOWA EDUCATIONAL SAVINGS PLAN TRUST AND IOWA ABLE
11 SAVINGS PLAN TRUST

12 Sec. 135. Section 12D.1, Code 2018, is amended to read as

13 follows:

14 **12D.1 Purpose and definitions.**

15 1. The general assembly finds that the general welfare and
 16 well-being of the state are directly related to educational
 17 levels and skills of the citizens of the state, and that a
 18 vital and valid public purpose is served by the creation and
 19 implementation of programs which encourage and make possible
 20 the attainment of ~~higher formal~~ education by the greatest
 21 number of citizens of the state. ~~The state has limited~~
 22 ~~resources to provide additional programs for higher education~~
 23 ~~funding and the continued operation and maintenance of the~~
 24 ~~state's public institutions of higher education and the general~~
 25 welfare of the citizens of the state will be enhanced by
 26 establishing a program which allows citizens of the state to
 27 invest money in a public trust for future application to the
 28 payment of ~~higher education costs~~ qualified education expenses.
 29 The creation of the means of encouragement for citizens to
 30 invest in such a program represents the carrying out of a
 31 vital and valid public purpose. In order to make available
 32 to the citizens of the state an opportunity to fund future
 33 ~~higher formal~~ education needs, it is necessary that a public
 34 trust be established in which moneys may be invested for future
 35 educational use.

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1 2. As used in this chapter, unless the context otherwise
 2 requires:
 3 a. *"Account balance limit"* means the maximum allowable
 4 aggregate balance of accounts established for the same
 5 beneficiary. Account earnings, if any, are included in the
 6 account balance limit.
 7 b. *"Administrative fund"* means the administrative fund
 8 established under section 12D.4.
 9 c. *"Beneficiary"* means the individual designated by a
 10 participation agreement to benefit from advance payments of
 11 ~~higher education costs~~ qualified education expenses on behalf
 12 of the beneficiary.
 13 d. *"Benefits"* means the payment of ~~higher education costs~~
 14 qualified education expenses on behalf of a beneficiary by the
 15 trust during the beneficiary's attendance at ~~an institution of~~
 16 ~~higher education~~ a qualified educational institution.
 17 e. *"Higher education costs"* means the same as "qualified
 18 higher education expenses" as defined in section 529(e)(3) of
 19 the Internal Revenue Code.
 20 f. *"Institution of higher education"* means an institution
 21 described in section 481 of the federal Higher Education Act of
 22 1965, 20 U.S.C. §1088, which is eligible to participate in the
 23 United States department of education's student aid programs.
 24 g. *"Internal Revenue Code"* means the same as defined
 25 in section 12I.1.
 26 h. *"Iowa educational savings plan trust"* or *"trust"* means

27 the trust created under section 12D.2.
 28 ~~h.~~ h. "Participant" means an individual, individual's legal
 29 representative, trust, estate, or an organization described
 30 in section 501(c)(3) of the Internal Revenue Code and exempt
 31 from taxation under section 501(a) of the Internal Revenue
 32 Code, that has entered into a participation agreement under
 33 this chapter for the advance payment of ~~higher education costs~~
 34 qualified education expenses on behalf of a beneficiary.
 35 ~~j.~~ i. "Participation agreement" means an agreement between

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1 a participant and the trust entered into under this chapter.
 2 ~~k.~~ j. "Program fund" means the program fund established
 3 under section 12D.4.
 4 k. "Qualified education expenses" means the same as
 5 "qualified higher education expenses" as defined in section
 6 529(e)(3) of the Internal Revenue Code, as amended by Pub. L.
 7 No. 115-97, and shall include elementary and secondary school
 8 expenses for tuition described in section 529(c)(7) of the
 9 Internal Revenue Code, subject to the limitations imposed by
 10 section 529(e)(3)(A) of the Internal Revenue Code.
 11 l. "Qualified educational institution" means an institution
 12 of higher education, or any elementary or secondary public,
 13 private, or religious school described in section 529(c)(7) of
 14 the Internal Revenue Code.
 15 m. "Tuition and fees" "Tuition" means the quarter, or
 16 semester, or annual charges imposed to attend an institution
 17 of higher education a qualified educational institution and
 18 required as a condition of enrollment or attendance.
 19 Sec. 136. Section 12D.2, subsections 2, 5, 9, and 14, Code
 20 2018, are amended to read as follows:
 21 2. Enter into agreements with any ~~institution of higher~~
 22 education qualified educational institution, the state, or any
 23 federal or other state agency, or other entity as required to
 24 implement this chapter.
 25 5. Carry out studies and projections so the treasurer of
 26 state may advise participants regarding present and estimated
 27 future ~~higher education costs~~ qualified education expenses
 28 and levels of financial participation in the trust required
 29 in order to enable participants to achieve their educational
 30 funding objectives.
 31 9. Make payments to ~~institutions of higher education~~
 32 qualified educational institutions, participants, or
 33 beneficiaries, pursuant to participation agreements on behalf
 34 of beneficiaries.
 35 14. Establish, impose, and collect administrative fees

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1 and charges in connection with transactions of the trust, and
 2 provide for reasonable service charges, ~~including penalties for~~

3 ~~cancellations and late payments with respect to participation~~
 4 ~~agreements.~~

5 Sec. 137. Section 12D.3, subsections 1 and 2, Code 2018, are
 6 amended to read as follows:

7 ~~1. Each participation agreement may require a~~
 8 ~~participant to agree to invest a specific amount of money in~~
 9 ~~the trust for a specific period of time for the benefit of a~~
 10 ~~specific beneficiary. A participant shall not be required to~~
 11 ~~make an annual contribution on behalf of a beneficiary. The~~
 12 ~~maximum contribution that may be deducted for Iowa income tax~~
 13 ~~purposes shall not exceed two thousand dollars per beneficiary~~
 14 ~~per year adjusted annually to reflect increases in the consumer~~
 15 ~~price index. The treasurer of state shall set an account~~
 16 ~~balance limit to maintain compliance with section 529 of the~~
 17 ~~Internal Revenue Code. A contribution shall not be permitted~~
 18 ~~to the extent it causes the aggregate balance of all accounts~~
 19 ~~established for the same beneficiary under the trust to exceed~~
 20 ~~the applicable account balance limit.~~

21 ~~b. Participation agreements may be amended to provide for~~
 22 ~~adjusted levels of payments based upon changed circumstances or~~
 23 ~~changes in educational plans.~~

24 2. The execution of a participation agreement by the trust
 25 shall not guarantee in any way that ~~higher education costs~~
 26 qualified education expenses will be equal to projections
 27 and estimates provided by the trust or that the beneficiary
 28 named in any participation agreement will attain any of the
 29 following:

30 ~~a. Be admitted to an institution of higher education a~~
 31 qualified educational institution.

32 ~~b. If admitted, be determined a resident for tuition~~
 33 ~~purposes by the institution of higher education qualified~~
 34 educational institution.

35 ~~c. Be allowed to continue attendance at the institution of~~

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1 ~~higher education qualified educational institution following~~
 2 ~~admission.~~

3 ~~d. Graduate from the institution of higher education~~
 4 qualified educational institution.

5 Sec. 138. Section 12D.3, Code 2018, is amended by adding the
 6 following new subsection:

7 NEW SUBSECTION. 5. A participant may designate a successor
 8 in accordance with rules adopted by the treasurer of state.
 9 The designated successor shall succeed to the ownership of the
 10 account in the event of the death of the participant. In the
 11 event a participant dies and has not designated a successor to
 12 the account, the following criteria shall apply:

13 ~~a. The beneficiary of the account, if eighteen years of~~
 14 ~~age or older, shall become the owner of the account as well as~~
 15 ~~remain the beneficiary upon filing the appropriate forms in~~
 16 ~~accordance with rules adopted by the treasurer of state.~~

17 *b.* If the beneficiary of the account is under the age of
 18 eighteen, account ownership shall be transferred to the first
 19 surviving parent or other legal guardian of the beneficiary to
 20 file the appropriate forms in accordance with rules adopted by
 21 the treasurer of state.

22 Sec. 139. Section 12D.4, Code 2018, is amended to read as
 23 follows:

24 **12D.4 Program and administrative funds — investment and**
 25 **payments.**

26 *1.a.* The treasurer of state shall segregate moneys
 27 received by the trust into two funds: the program fund and the
 28 administrative fund.

29 *b.* All moneys paid by participants in connection with
 30 participation agreements shall be deposited as received into
 31 separate accounts within the program fund.

32 *c.* Contributions to the trust made by participants may only
 33 be made in the form of cash.

34 *d.* A participant or beneficiary ~~shall not provide investment~~
 35 ~~direction regarding program contributions or earnings held by~~

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1 ~~the trust may, directly or indirectly, direct the investment of~~
 2 ~~any contributions to the trust or any earnings thereon no more~~
 3 ~~than two times in a calendar year.~~

4 *e.* The amount of cash distributions from the trust and all
 5 other qualified state tuition programs under section 529 of
 6 the Internal Revenue Code to a beneficiary during any taxable
 7 year shall, in the aggregate, include no more than ten thousand
 8 dollars in expenses for tuition in connection with enrollment
 9 at an elementary or secondary public, private, or religious
 10 school incurred during the taxable year.

11 2. Moneys accrued by participants in the program fund of
 12 the trust may be used for payments to any ~~institution of higher~~
 13 ~~education~~ qualified educational institution. Payments can be
 14 made to the qualified educational institution, the participant,
 15 or the beneficiary.

16 Sec. 140. Section 12D.6, subsection 1, paragraph a, Code
 17 2018, is amended to read as follows:

18 *a.* A participant retains ownership of all payments made
 19 under a participation agreement up to the date of utilization
 20 for payment of ~~higher education costs~~ qualified education
 21 expenses for the beneficiary.

22 Sec. 141. Section 12D.6, subsections 2, 3, and 5, Code 2018,
 23 are amended to read as follows:

24 2. In the event the program is terminated prior to payment
 25 of ~~higher education costs~~ qualified education expenses for the
 26 beneficiary, the participant is entitled to a refund of the
 27 participant's account balance.

28 3. The ~~institution of higher education~~ qualified
 29 educational institution shall obtain ownership of the payments
 30 made for the ~~higher education costs~~ qualified education

31 ~~expenses~~ paid to the institution at the time each payment is
 32 made to the institution.
 33 5. A participant may transfer ownership rights to another
 34 ~~eligible individual, including a gift of the ownership rights~~
 35 ~~to a minor beneficiary participant, or may transfer funds to~~

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1 ~~another plan under the trust or to an ABLE account as permitted~~
 2 ~~under section 529(c)(3)(C) of the Internal Revenue Code.~~
 3 The transfer shall be made and the property distributed in
 4 accordance with rules adopted by the treasurer of state or with
 5 the terms of the participation agreement.

6 Sec. 142. Section 12D.7, Code 2018, is amended to read as
 7 follows:

8 **12D.7 Effect of payments on determination of need and**
 9 **eligibility for student financial aid.**

10 A student loan program, student grant program, or other
 11 program administered by any agency of the state, except as
 12 may be otherwise provided by federal law or the provisions
 13 of any specific grant applicable to that law, shall not take
 14 into account and shall not consider amounts available for
 15 the payment of ~~higher education costs~~ qualified education
 16 expenses pursuant to the Iowa educational savings plan trust in
 17 determining need and eligibility for student aid.

18 Sec. 143. Section 12D.9, subsection 1, paragraph a, Code
 19 2018, is amended to read as follows:

20 a. Pursuant to section 12D.3, subsection 1, paragraph "a",
 21 a participant may make contributions to an account which is
 22 established for the purpose of meeting the qualified ~~higher~~
 23 education expenses of the designated beneficiary of the
 24 account.

25 Sec. 144. Section 422.7, subsection 32, paragraph c, Code
 26 2018, is amended by striking the paragraph and inserting in
 27 lieu thereof the following:

28 c.(1) Add, to the extent previously deducted as a
 29 contribution to the trust, the amount resulting from a
 30 withdrawal or transfer made by the taxpayer from the Iowa
 31 educational savings plan trust for purposes other than any of
 32 the following:

- 33 (a) The payment of qualified higher education expenses.
- 34 (b) The payment of tuition to an elementary or secondary
 35 school if the tuition amounts are qualified education expenses.

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1 (c) A change in beneficiaries under, or transfer to another
 2 account within, the Iowa educational savings plan trust, or a
 3 transfer to the Iowa ABLÉ savings plan trust, provided such
 4 change or transfer is permitted under section 12D.6, subsection
 5 5.

6 (2) For purposes of this paragraph:

7 (a) “Elementary or secondary school” means an elementary
 8 or secondary school in this state which is accredited under
 9 section 256.11, and adheres to the provisions of the federal
 10 Civil Rights Act of 1964 and chapter 216.

11 (b) “Qualified education expenses” and “tuition” all mean the
 12 same as defined in section 12D.1, subsection 2.

13 (c)(i) “Qualified higher education expenses” means the same
 14 as defined in section 529(e)(3) of the Internal Revenue Code.

15 (ii) For purposes of this subparagraph division (c),
 16 “Internal Revenue Code” means the Internal Revenue Code of
 17 1954, prior to the date of its redesignation as the Internal
 18 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
 19 the Internal Revenue Code of 1986 as amended and in effect on
 20 January 1, 2018. This definition shall not be construed to
 21 include any amendment to the Internal Revenue Code enacted
 22 after the date specified in the preceding sentence, including
 23 any amendment with retroactive applicability or effectiveness.

24 Sec. 145. Section 422.7, subsection 34, Code 2018, is
 25 amended to read as follows:

26 34.a.(1) Subtract the amount contributed during the tax
 27 year on behalf of a designated beneficiary that is a resident
 28 of this state to the Iowa ABLE savings plan trust or to the
 29 qualified ABLE program with which the state has contracted
 30 pursuant to section 12I.10, not to exceed the maximum
 31 contribution level established in section 12I.3, subsection 1,
 32 paragraph “d”, or section 12I.10, subsection 2, paragraph “a”,
 33 as applicable.

34 (2) This paragraph “a” shall not apply to any amount
 35 of contribution that represents a transfer from the Iowa

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1 educational savings plan trust created in chapter 12D that
 2 meets the requirements of subsection 32, paragraph “c”
 3 subparagraph (1), subparagraph division (c), and that was
 4 previously deducted as a contribution to the Iowa educational
 5 savings plan trust.

6 b. Add the amount resulting from the cancellation of a
 7 participation agreement refunded to the taxpayer as an account
 8 owner in the Iowa ABLE savings plan trust or the qualified
 9 ABLE program with which the state has contracted pursuant to
 10 section 12I.10 to the extent previously deducted pursuant
 11 to this subsection by the taxpayer or any other person as a
 12 contribution to the trust or qualified ABLE program, or to the
 13 extent the amount was previously deducted by the taxpayer or
 14 any other person pursuant to subsection 32, paragraph “a”, and
 15 qualified as a transfer under paragraph “a”, subparagraph (2),
 16 of this subsection.

17 c. Add the amount resulting from a withdrawal made by a
 18 taxpayer from the Iowa ABLE savings plan trust or the qualified
 19 ABLE program with which the state has contracted pursuant to
 20 section 12I.10 for purposes other than the payment of qualified

21 disability expenses to the extent previously deducted pursuant
 22 to this subsection by the taxpayer or any other person as a
 23 contribution to the trust or qualified ABLE program, or to the
 24 extent the amount was previously deducted by the taxpayer or
 25 any other person pursuant to subsection 32, paragraph "a", and
 26 qualified as a transfer under paragraph "a", subparagraph (2),
 27 of this subsection.

28 Sec. 146. Section 627.6, Code 2018, is amended by adding the
 29 following new subsection:

30 NEW SUBSECTION. 17. The debtor's interest, whether as
 31 participant or beneficiary, in contributions and assets,
 32 including the accumulated earnings and market increases in
 33 value, held in an account in the Iowa educational savings plan
 34 trust organized under chapter 12D.

35 Sec. 147.EFFECTIVE DATE. This division of this Act, being

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1 deemed of immediate importance, takes effect upon enactment.

2 Sec. 148.RETROACTIVE APPLICABILITY.

3 1. Except as provided in subsection 2, this division of this
 4 Act applies retroactively to January 1, 2018, for withdrawals
 5 from the Iowa educational savings plan trust made on or after
 6 that date.

7 2. The sections of this division of this Act amending
 8 section 422.7 apply retroactively to January 1, 2018, for tax
 9 years beginning on or after that date, and for withdrawals from
 10 the Iowa educational savings plan trust made on or after that
 11 date.

12 DIVISION XI

13 SALES AND USE TAXES

14 Sec. 149. Section 15J.4, subsection 3, paragraph f, Code
 15 2018, is amended to read as follows:

16 *f.* The total aggregate amount of state sales tax revenues
 17 and state hotel and motel tax revenues that may be approved by
 18 the board for remittance to all municipalities and that may
 19 be transferred to the state reinvestment district fund under
 20 section ~~423.2, subsection 11, 423.2A~~ or section 423A.6, and
 21 remitted to all municipalities having a reinvestment district
 22 under this chapter shall not exceed one hundred million
 23 dollars.

24 Sec. 150. Section 15J.5, subsection 1, paragraph a, Code
 25 2018, is amended to read as follows:

26 *a.* The department shall calculate quarterly the amount of
 27 new state sales tax revenues for each district established in
 28 the state to be deposited in the state reinvestment district
 29 fund created in section 15J.6, pursuant to section ~~423.2,~~
 30 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, subject to
 31 remittance limitations established by the board pursuant to
 32 section 15J.4, subsection 3.

33 Sec. 151. Section 15J.6, subsection 1, Code 2018, is amended
 34 to read as follows:

35 1. A state reinvestment district fund is established in the

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1 state treasury under the control of the department consisting
 2 of the new state sales tax revenues collected within each
 3 district and deposited in the fund pursuant to section ~~423.2,~~
 4 ~~subsection 11, paragraph "b"~~ 423.2A, subsection 2, and the
 5 new state hotel and motel tax revenues collected within each
 6 district and deposited in the fund pursuant to section 423A.6.
 7 Moneys deposited in the fund are appropriated to the department
 8 for the purposes of this section. Moneys in the fund shall
 9 only be used for the purposes of this section.

10 Sec. 152. Section 418.11, subsection 1, Code 2018, is
 11 amended to read as follows:

12 1. The department of revenue shall calculate quarterly the
 13 amount of increased sales tax revenues for each governmental
 14 entity approved to use sales tax increment revenues and the
 15 amount of such revenues to be transferred to the sales tax
 16 increment fund pursuant to section ~~423.2, subsection 11,~~
 17 ~~paragraph "b"~~ 423.2A, subsection 2.

18 Sec. 153. Section 418.12, subsection 1, Code 2018, is
 19 amended to read as follows:

20 1. A sales tax increment fund is established as a separate
 21 and distinct fund in the state treasury under the control of
 22 the department of revenue consisting of the amount of the
 23 increased state sales and services tax revenues collected by
 24 the department of revenue within each applicable area specified
 25 in section 418.11, subsection 3, and deposited in the fund
 26 pursuant to section ~~423.2, subsection 11, paragraph "b"~~ 423.2A,
 27 subsection 2. Moneys deposited in the fund are appropriated
 28 to the department of revenue for the purposes of this section.
 29 Moneys in the fund shall only be used for the purposes of this
 30 section.

31 Sec. 154. Section 421.26, Code 2018, is amended to read as
 32 follows:

33 **421.26 Personal liability for tax due.**

34 If a licensee or other person under section 452A.65, a
 35 retailer or purchaser under chapter 423A, 423B, ~~423C, 423D,~~ or

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1 423E, or section ~~423.14, 423.14A, 423.29, 423.31, 423.32,~~ or
 2 ~~423.33, or a retailer or purchaser under section 423.32, or~~
 3 a user under section 423.34, or a permit holder or licensee
 4 under section 453A.13, 453A.16, or 453A.44 fails to pay a tax
 5 under those sections when due, an officer of a corporation
 6 or association, notwithstanding section 489.304, a member or
 7 manager of a limited liability company, or a partner of a
 8 partnership, having control or supervision of or the authority
 9 for remitting the tax payments and having a substantial legal
 10 or equitable interest in the ownership of the corporation,

11 association, limited liability company, or partnership, who has
12 intentionally failed to pay the tax is personally liable for
13 the payment of the tax, interest, and penalty due and unpaid.
14 However, this section shall not apply to taxes on accounts
15 receivable. The dissolution of a corporation, association,
16 limited liability company, or partnership shall not discharge a
17 person's liability for failure to remit the tax due.

18 Sec. 155. Section 423.1, Code 2018, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 22A. "*Information services*" means
21 delivering or providing access to databases or subscriptions
22 to information through any tangible or electronic medium.
23 "*Information services*" includes but is not limited to database
24 files, research databases, genealogical information, and other
25 similar information.

26 Sec. 156. Section 423.1, subsection 24, paragraph a, Code
27 2018, is amended to read as follows:

28 a. "*Lease or rental*" means any transfer of possession
29 or control of, or access to, tangible personal property or
30 specified digital products for a fixed or indeterminate term
31 for consideration. A "*lease or rental*" may include future
32 options to purchase or extend.

33 Sec. 157. Section 423.1, subsection 37, Code 2018, is
34 amended to read as follows:

35 37. "*Place of business*" means any warehouse, store,

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1 place, office, building, or structure where ~~goods, wares, or~~
2 ~~merchandise~~ tangible personal property, specified digital
3 products, or services are offered for sale at retail or where
4 any taxable amusement is conducted, or each office where gas,
5 water, heat, communication, or electric services are offered
6 for sale at retail. When a retailer or amusement operator
7 sells merchandise by means of vending machines or operates
8 music or amusement devices by coin-operated machines at more
9 than one location within the state, the office, building, or
10 place where the books, papers, and records of the taxpayer are
11 kept shall be deemed to be the taxpayer's place of business.

12 Sec. 158. Section 423.1, Code 2018, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 36A. "*Personal property*" includes but is
15 not limited to tangible personal property and specified digital
16 products.

17 Sec. 159. Section 423.1, subsection 43, paragraph a,
18 subparagraph (3), Code 2018, is amended to read as follows:

19 (3) Taking possession or making first use of ~~digital goods~~
20 specified digital products, whichever comes first.

21 Sec. 160. Section 423.1, subsection 47, Code 2018, is
22 amended to read as follows:

23 47. "*Retailer*" means and includes every person engaged
24 in the business of selling tangible personal property,

25 specified digital products, or taxable services at retail, or
 26 the furnishing of gas, electricity, water, or communication
 27 service, and tickets or admissions to places of amusement
 28 and athletic events or operating amusement devices or other
 29 forms of commercial amusement from which revenues are derived.
 30 However, when in the opinion of the director it is necessary
 31 for the efficient administration of this chapter to regard any
 32 agent or affiliate of a retailer as a retailer for purposes
 33 of this chapter, the director may so regard them, or when
 34 it is necessary for the efficient administration of this
 35 chapter to regard any salespersons, representatives, truckers,

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1 peddlers, ~~or~~ canvassers, or other persons as agents of the
 2 dealers, distributors, supervisors, employers, or persons under
 3 whom they operate or from whom they obtain tangible personal
 4 property, services, or specified digital products sold by
 5 them irrespective of whether or not they are making sales on
 6 their own behalf or on behalf of such dealers, distributors,
 7 supervisors, employers, or persons, the director may so regard
 8 them, and may regard such dealers, distributors, supervisors,
 9 employers, or persons as retailers for the purposes of this
 10 chapter. *“Retailer”* includes a seller obligated to collect
 11 sales or use tax, including any person obligated to collect
 12 sales and use tax pursuant to section 423.14A.

13 Sec. 161. Section 423.1, subsection 48, paragraph a, Code
 14 2018, is amended to read as follows:

15 a. *“Retailer maintaining a place of business in this state”*
 16 or any like term includes any of the following:

17 (1) A retailer having or maintaining within this state,
 18 directly or by a subsidiary, an office, distribution house,
 19 sales house, warehouse, or other place of business, or any
 20 representative operating within this state under the authority
 21 of the retailer or its subsidiary, irrespective of whether that
 22 place of business or representative is located here permanently
 23 or temporarily, or whether the retailer or subsidiary is
 24 admitted to do business within this state pursuant to chapter
 25 490.

26 (2) A person obligated to collect sales and use tax pursuant
 27 to section 423.14A.

28 Sec. 162. Section 423.1, subsection 48, paragraph b,
 29 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
 30 to read as follows:

31 A retailer shall be presumed to be maintaining a place of
 32 business in this state, ~~as defined in~~ for purposes of paragraph
 33 *“a”*, subparagraph (1), if any person that has substantial nexus
 34 in this state, other than a person acting in its capacity as a
 35 common carrier, does any of the following:

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1 Sec. 163. Section 423.1, subsection 48, paragraph b,
2 subparagraph (1), subparagraph division (b), Code 2018, is
3 amended to read as follows:

4 (b) Maintains an office, distribution facility, warehouse,
5 storage place, or similar place of business in this state to
6 facilitate the delivery of personal property or services sold
7 by the retailer to the retailer's customers.

8 Sec. 164. Section 423.1, subsection 50, Code 2018, is
9 amended to read as follows:

10 50. "*Sales*" or "*sale*" means any transfer, exchange, or
11 barter, conditional or otherwise, in any manner or by any means
12 whatsoever, for consideration, including but not limited to any
13 such transfer, exchange, or barter on a subscription basis.

14 Sec. 165. Section 423.1, Code 2018, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 55A. "*Sold at retail in the state*" and
17 other references to sales "in the state" or "in this state"
18 includes but is not limited to sales sourced to this state
19 under this chapter.

20 Sec. 166. Section 423.1, Code 2018, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 55B.a. "*Specified digital products*" means
23 electronically transferred digital audio-visual works, digital
24 audio works, digital books, or other digital products.

25 b. For purposes of this subsection:

26 (1) "*Digital audio-visual works*" means a series of related
27 images which, when shown in succession, impart an impression of
28 motion, together with accompanying sounds, if any.

29 (2) "*Digital audio works*" means works that result from
30 the fixation of a series of musical, spoken, or other sounds,
31 including but not limited to ringtones. For purposes of this
32 subparagraph, "*ringtones*" means digitized sound files that are
33 downloaded onto a device and that may be used to alert the
34 customer with respect to a communication.

35 (3) "*Digital books*" means works that are generally

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1 recognized in the ordinary and usual sense as books.

2 (4) "*Electronically transferred*" means obtained or accessed
3 by the purchaser by means other than tangible storage media,
4 including but not limited to a specified digital product
5 purchased through a computer software application, commonly
6 referred to as an in-app purchase, or through another specified
7 digital product, or through any other means.

8 (5) "*Other digital products*" means greeting cards, images,
9 video or electronic games or entertainment, news or information
10 products, and computer software applications.

11 Sec. 167. Section 423.1, Code 2018, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 57A. “*Subscription*” means any arrangement
 14 in which a person has the right or ability to access,
 15 receive, use, obtain, purchase, or otherwise acquire tangible
 16 personal property, specified digital products, or services
 17 on a permanent or less than permanent basis, regardless of
 18 whether the person actually accesses, receives, uses, obtains,
 19 purchases, or otherwise acquires such tangible personal
 20 property, specified digital product, or service.

21 Sec. 168. Section 423.1, subsections 62, 63, and 64, Code
 22 2018, are amended to read as follows:

23 62. “*Use*” means and includes the exercise by any person of
 24 any right or power over or access to tangible personal property
 25 or a specified digital product incident to the ownership of
 26 that property, or any right or power over or access to the
 27 product or result of a service. A retailer’s or building
 28 contractor’s sale of manufactured housing for use in this
 29 state, whether in the form of tangible personal property or
 30 of realty, is a use of that property for the purposes of this
 31 chapter.

32 63. “*Use tax*” means the tax levied under subchapter III of
 33 this chapter ~~for which the retailer collects and remits tax to~~
 34 ~~the department.~~

35 64. “*User*” means the immediate recipient of the personal

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1 property or services who is entitled to exercise a right of or
 2 power over or access to the personal property, or the product
 3 or result of such services.

4 Sec. 169. Section 423.2, subsection 1, paragraph a,
 5 subparagraph (1), Code 2018, is amended to read as follows:

6 (1) Sales of engraving, ~~photography, retouching,~~ printing,
 7 and binding services.

8 Sec. 170. Section 423.2, subsection 6, Code 2018, is amended
 9 to read as follows:

10 ~~6.~~ The sales price of any of the following enumerated
 11 services is subject to the tax imposed by subsection 5:

12 a. alteration ~~Alteration~~ and garment repair; ~~armored,~~

13 b. Armored car; ~~vehicle,~~

14 c. Vehicle repair; ~~battery.~~

15 d. Battery, tire, and allied; ~~investment.~~

16 e. Investment counseling; ~~service.~~

17 f. Service charges of all financial institutions; ~~barber.~~

18 For the purposes of this paragraph, “financial institutions”
 19 means all national banks, federally chartered savings and loan
 20 associations, federally chartered savings banks, federally
 21 chartered credit unions, banks organized under chapter 524,
 22 credit unions organized under chapter 533, and all banks,
 23 savings banks, credit unions, and savings and loan associations
 24 chartered or otherwise created under the laws of any state and
 25 doing business in Iowa.

26 g. Barber and beauty; ~~boat.~~

27 h. Boat repair; vehicle.
 28 i. Vehicle wash and wax; campgrounds; carpentry; roof.
 29 j. Campgrounds.
 30 k. Carpentry.
 31 l. Roof, shingle, and glass repair; dance.
 32 m. Dance schools and dance studios; dating.
 33 n. Dating services; dry.
 34 o. Dry cleaning, pressing, dyeing, and laundering excluding
 35 the use of self-pay washers and dryers; electrical.

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1 p. Electrical and electronic repair and installation;
 2 excavating.
 3 q. Excavating and grading; farm.
 4 r. Farm implement repair of all kinds; flying.
 5 s. Flying service; furniture.
 6 t. Furniture, rug, carpet, and upholstery repair and
 7 cleaning; fur.
 8 u. Fur storage and repair; golf.
 9 v. Golf and country clubs and all commercial recreation;
 10 gun.
 11 w. Gun and camera repair; house.
 12 x. House and building moving; household.
 13 y. Household appliance, television, and radio repair;
 14 janitorial.
 15 z. Janitorial and building maintenance or cleaning; jewelry.
 16 aa. Jewelry and watch repair; lawn.
 17 ab. Lawn care, landscaping, and tree trimming and removal;
 18 ac. Personal transportation service, including but not
 19 limited to taxis, driver service, ride sharing service, rides
 20 for hire, and limousine service, including driver; machine.
 21 ad. Machine operator; machine.
 22 ae. Machine repair of all kinds; motor.
 23 af. Motor repair; motoreycle.
 24 ag. Motorcycle, scooter, and bicycle repair; oilers.
 25 ah. Oilers and lubricators; office.
 26 ai. Office and business machine repair; painting.
 27 aj. Painting, papering, and interior decorating; parking.
 28 ak. Parking facilities; pay.
 29 al. Pay television; pet, including but not limited to
 30 streaming video, video on-demand, and pay-per-view.
 31 am. Pet grooming; pipe.
 32 an. Pipe fitting and plumbing; wood.
 33 ao. Wood preparation; executive.
 34 ap. Executive search agencies; private.
 35 aq. Private employment agencies, excluding services for

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1 placing a person in employment where the principal place of
 2 employment of that person is to be located outside of the

3 state; ~~reflexology; security.~~
 4 ar. Reflexology.
 5 as. Security and detective services, excluding private
 6 security and detective services furnished by a peace officer
 7 with the knowledge and consent of the chief executive officer
 8 of the peace officer's law enforcement agency; ~~sewage.~~
 9 at. Sewage services for nonresidential commercial
 10 operations; ~~sewing.~~
 11 au. Sewing and stitching; ~~shoe.~~
 12 av. Shoe repair and shoeshine; ~~sign.~~
 13 aw. Sign construction and installation; ~~storage.~~
 14 ax. Storage of household goods, mini-storage, and
 15 warehousing of raw agricultural products; ~~swimming.~~
 16 ay. Swimming pool cleaning and maintenance; ~~tanning.~~
 17 az. Tanning beds or salons; ~~taxidermy.~~
 18 ba. Taxidermy services; ~~telephone.~~
 19 bb. Telephone answering service; ~~test.~~
 20 bc. Test laboratories, including mobile testing laboratories
 21 and field testing by testing laboratories, and excluding tests
 22 on humans or animals and excluding environmental testing
 23 services; ~~termite.~~
 24 bd. Termite, bug, roach, and pest eradicators; ~~tin.~~
 25 be. Tin and sheet metal repair; ~~transportation.~~
 26 bf. Transportation service consisting of the rental of
 27 recreational vehicles or recreational boats, or the rental of
 28 vehicles subject to registration which are registered for a
 29 gross weight of thirteen tons or less for a period of sixty
 30 days or less, or the rental of aircraft for a period of sixty
 31 days or less;
 32 bg. Turkish baths, massage, and reducing salons, excluding
 33 services provided by massage therapists licensed under chapter
 34 152C; ~~water.~~
 35 bh. Water conditioning and softening; ~~weighing; welding;~~

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1 ~~well.~~
 2 bi. Weighing.
 3 bj. Welding.
 4 bk. Well drilling; ~~wrapping.~~
 5 bl. Wrapping, packing, and packaging of merchandise other
 6 than processed meat, fish, fowl, and vegetables; ~~wrecking.~~
 7 bm. Wrecking service; ~~wrecker.~~
 8 bn. Wrecker and towing.
 9 ~~b. For the purposes of this subsection, "financial~~
 10 ~~institutions" means all national banks, federally chartered~~
 11 ~~savings and loan associations, federally chartered savings~~
 12 ~~banks, federally chartered credit unions, banks organized under~~
 13 ~~chapter 524, credit unions organized under chapter 533, and~~
 14 ~~all banks, savings banks, credit unions, and savings and loan~~
 15 ~~associations chartered or otherwise created under the laws of~~
 16 ~~any state and doing business in Iowa.~~

17 bo. Photography.
18 bp. Retouching.
19 bq. Storage of tangible or electronic files, documents, or
20 other records.
21 br. Information services.
22 bs. Services arising from or related to installing,
23 maintaining, servicing, repairing, operating, upgrading, or
24 enhancing specified digital products.
25 bt. Video game services and tournaments.
26 bu. Software as a service.
27 Sec. 171. Section 423.2, subsection 8, Code 2018, is amended
28 by adding the following new paragraph:
29 NEW PARAGRAPH. d. A transaction that otherwise meets
30 the definition of “*bundled transaction*” as defined in this
31 subsection is not a bundled transaction if it is any of the
32 following:
33 (1) The retail sale of tangible personal property and a
34 service where the tangible personal property is essential
35 to the use of the service, and is provided exclusively in

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1 connection with the service, and the true object of the
2 transaction is the service.
3 (2) The retail sale of services where one service is
4 provided that is essential to the use or receipt of a second
5 service and the first service is provided exclusively in
6 connection with the second service and the true object of the
7 transaction is the second service.
8 (3)(a) A transaction that includes taxable products and
9 nontaxable products and the purchase price or sales price of
10 the taxable products is de minimis.
11 (b) For purposes of this subparagraph, “*de minimis*” means
12 the seller’s purchase or sales price of the taxable products
13 is ten percent or less of the total purchase price or sales
14 price of the bundled products. Sellers shall use either the
15 purchase price or the sale price of the products to determine
16 if the taxable products are de minimis. Sellers may not use
17 a combination of the purchase price and sales price of the
18 products to determine if the taxable products are de minimis.
19 (4) The retail sale of exempt tangible personal property and
20 taxable tangible personal property where all of the following
21 apply:
22 (a) The transaction includes food and food ingredients,
23 drugs, durable medical equipment, mobility enhancing equipment,
24 prosthetic devices, or medical supplies.
25 (b) The seller’s purchase price or sales price of the
26 taxable tangible personal property is fifty percent or less
27 of the total purchase price or sales price of the bundled
28 tangible personal property. Sellers may not use a combination
29 of the purchase price and sales price of the tangible personal
30 property when making the fifty percent determination for a

31 transaction.

32 Sec. 172. Section 423.2, Code 2018, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 9A.a. A tax of six percent is imposed on
35 the sales price of specified digital products sold at retail

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1 in the state. The tax applies whether the purchaser obtains
2 permanent use or less than permanent use of the specified
3 digital product, whether the sale is conditioned or not
4 conditioned upon continued payment from the purchaser, and
5 whether the sale is on a subscription basis or is not on a
6 subscription basis.

7 *b.* The sale of a digital code that may be used to obtain
8 or access a specified digital product shall be taxed in the
9 same manner as the specified digital product. For purposes
10 of this paragraph, “*digital code*” means a method that permits
11 a purchaser to obtain or access at a later date a specified
12 digital product.

13 Sec. 173. Section 423.2, subsections 10, 11, and 12, Code
14 2018, are amended by striking the subsections.

15 Sec. 174. NEW SECTION. 423.2A **Deposit and transfer of**
16 **revenues.**

17 1.a. All revenues arising under the operation of the
18 provisions of this subchapter II shall be deposited into the
19 general fund of the state.

20 *b.* Subsequent to the deposit into the general fund of
21 the state, the director shall credit an amount equal to the
22 product of the sales tax rate imposed in section 423.2 times
23 the sales price of the tangible personal property or services
24 furnished to purchasers at a baseball and softball complex that
25 has received an award under section 15F.207 and that meets
26 the qualifications of section 423.4, subsection 10, into the
27 baseball and softball complex sales tax rebate fund created
28 under section 423.4, subsection 10, paragraph “*e*”. The director
29 shall credit the moneys beginning the first day of the quarter
30 following July 1, 2016. This paragraph is repealed thirty
31 days following the date on which five million dollars in total
32 rebates have been provided under section 423.4, subsection 10.

33 2. Subsequent to the deposit into the general fund of the
34 state pursuant to subsection 1, the department shall do the
35 following in the order prescribed:

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1 *a.* Transfer the revenues collected under chapter 423B.

2 *b.* Transfer from the remaining revenues the amounts required
3 under Article VII, section 10, of the Constitution of the State
4 of Iowa to the natural resources and outdoor recreation trust
5 fund created in section 461.31, if applicable.

6 *c.* Transfer one-sixth of the remaining revenues to the

7 secure an advanced vision for education fund created in section
8 423F.2. This paragraph “c” is repealed December 31, 2029.
9 *d.* Transfer to the baseball and softball complex sales tax
10 rebate fund that portion of the sales tax receipts described
11 in subsection 1, paragraph “b”, remaining after the transfers
12 required under paragraphs “a”, “b”, and “c” of this subsection
13 2. This paragraph is repealed thirty days following the date
14 on which five million dollars in total rebates have been
15 provided under section 423.4, subsection 10.
16 *e.* Beginning the first day of the calendar quarter
17 beginning on the reinvestment district’s commencement date,
18 subject to remittance limitations established by the economic
19 development authority board pursuant to section 15J.4,
20 subsection 3, transfer to a district account created in the
21 state reinvestment district fund for each reinvestment district
22 established under chapter 15J, the amount of new state sales
23 tax revenue, determined in section 15J.5, subsection 1,
24 paragraph “b”, in the district, that remains after the prior
25 transfers required under this subsection 2. Such transfers
26 shall cease pursuant to section 15J.8.
27 *f.* Subject to the limitation on the calculation and
28 deposit of sales tax increment revenues in section 418.12,
29 beginning the first day of the quarter following adoption
30 of the resolution pursuant to section 418.4, subsection 3,
31 paragraph “d”, transfer to the account created in the sales tax
32 increment fund for each governmental entity approved to use
33 sales tax increment revenues under chapter 418, that portion
34 of the increase in sales tax revenue, determined in section
35 418.11, subsection 2, paragraph “d”, in the applicable area of

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1 the governmental entity, that remains after the other transfers
2 required under this subsection 2.
3 *g.* Beginning the first day of the quarter following July 1,
4 2014, transfer to the raceway facility tax rebate fund created
5 in section 423.4, subsection 11, paragraph “e”, that portion
6 of the sales tax receipts collected and remitted upon sales of
7 tangible personal property or services furnished by retailers
8 at a raceway facility meeting the qualifications of section
9 423.4, subsection 11, that remains after the transfers required
10 in paragraphs “a” through “f” of this subsection 2. This
11 paragraph is repealed June 30, 2025, or thirty days following
12 the date on which an amount of total rebates specified in
13 section 423.4, subsection 11, paragraph “c”, subparagraph (4),
14 subparagraph division (a) or (b), whichever is applicable,
15 has been provided or thirty days following the date on which
16 rebates cease as provided in section 423.4, subsection 11,
17 paragraph “c”, subparagraph (5), whichever is earliest.
18 3. Of the amount of sales tax revenue actually transferred
19 per quarter pursuant to subsection 2, paragraphs “e” and “f”,
20 the department shall retain an amount equal to the actual cost

21 of administering the transfers under subsection 2, paragraphs
 22 “e” and “f”, or twenty-five thousand dollars, whichever is
 23 less. The amount retained by the department pursuant to this
 24 subsection shall be divided pro rata each quarter between
 25 the amounts that would have been transferred pursuant to
 26 subsection 2, paragraphs “e” and “f”, without the deduction
 27 made by operation of this subsection. Revenues retained by
 28 the department pursuant to this subsection shall be considered
 29 repayment receipts as defined in section 8.2.

30 Sec. 175. Section 423.3, subsections 1 and 17, Code 2018,
 31 are amended to read as follows:

32 1. The sales price from sales of tangible personal property,
 33 specified digital products, and services furnished which this
 34 state is prohibited from taxing under the Constitution or laws
 35 of the United States or under the Constitution of this state.

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1 17. The sales price of all ~~goods, wares, or merchandise,~~
 2 tangible personal property, specified digital products, or
 3 services, used for educational purposes sold to any private
 4 nonprofit educational institution in this state. For the
 5 purpose of this subsection, “*educational institution*” means an
 6 institution which primarily functions as a school, college,
 7 or university with students, faculty, and an established
 8 curriculum. The faculty of an educational institution must be
 9 associated with the institution and the curriculum must include
 10 basic courses which are offered every year. “*Educational*
 11 *institution*” includes an institution primarily functioning as a
 12 library.

13 Sec. 176. Section 423.3, subsection 18, unnumbered
 14 paragraph 1, Code 2018, is amended to read as follows:

15 The sales price of tangible personal property or specified
 16 digital products sold, or of services furnished, to the
 17 following nonprofit corporations:

18 Sec. 177. Section 423.3, subsections 20, 21, 22, 23, 26, 27,
 19 28, and 31, Code 2018, are amended to read as follows:

20 20. The sales price of tangible personal property or
 21 specified digital products sold, or of services furnished, to
 22 nonprofit legal aid organizations.

23 21. The sales price of ~~goods, wares, or merchandise,~~
 24 tangible personal property, of specified digital products,
 25 or of services, used for educational, scientific, historic
 26 preservation, or aesthetic purpose sold to a nonprofit private
 27 museum.

28 22. The sales price from sales of ~~goods, wares, or~~
 29 ~~merchandise,~~ tangible personal property, of specified digital
 30 products, or from services furnished, to a nonprofit private
 31 art center to be used in the operation of the art center.

32 23. The sales price of tangible personal property or
 33 specified digital products sold, or of services furnished, by a
 34 fair organized under chapter 174.

35 26. The sales price of tangible personal property or

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1 specified digital products sold, or of services furnished, to a
2 statewide nonprofit organ procurement organization, as defined
3 in section 142C.2.

4 27. The sales price of tangible personal property or
5 specified digital products sold, or of services furnished, to a
6 nonprofit hospital licensed pursuant to chapter 135B to be used
7 in the operation of the hospital.

8 28. The sales price of tangible personal property or
9 specified digital products sold, or of services furnished, to
10 a freestanding nonprofit hospice facility which operates a
11 hospice program as defined in 42 C.F.R. ch. IV, §418.3, which
12 property or services are to be used in the hospice program.

13 ~~31.a.~~ The sales price of ~~goods, wares, or merchandise~~
14 tangible personal property or specified digital products sold
15 to and of services furnished, and used for public purposes
16 sold to a tax-certifying or tax-levying body of the state or
17 a governmental subdivision of the state, including regional
18 transit systems, as defined in section 324A.1, the state board
19 of regents, department of human services, state department of
20 transportation, any municipally owned solid waste facility
21 which sells all or part of its processed waste as fuel to a
22 municipally owned public utility, and all divisions, boards,
23 commissions, agencies, or instrumentalities of state, federal,
24 county, or municipal government which have no earnings going to
25 the benefit of an equity investor or stockholder, except any
26 of the following:

27 ~~(1)a.~~ The sales price of ~~goods, wares, or merchandise~~
28 tangible personal property or specified digital products sold
29 to, or of services furnished, and used by or in connection with
30 the operation of any municipally owned public utility engaged
31 in selling gas, electricity, heat, pay television service, or
32 communication service to the general public.

33 ~~(2) b.~~ The sales price of furnishing of sewage services to
34 a county or municipality on behalf of nonresidential commercial
35 operations.

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1 ~~(3) c.~~ The furnishing of solid waste collection and
2 disposal service to a county or municipality on behalf of
3 nonresidential commercial operations located within the county
4 or municipality.

5 ~~b.~~ ~~The exemption provided by this subsection shall also~~
6 ~~apply to all such sales of goods, wares, or merchandise or of~~
7 ~~services furnished and subject to use tax.~~

8 Sec. 178. Section 423.3, subsection 32, unnumbered
9 paragraph 1, Code 2018, is amended to read as follows:
10 The sales price of tangible personal property or specified

11 digital products sold, or of services furnished, by a county or
12 city. This exemption does not apply to any of the following:

13 Sec. 179. Section 423.3, subsection 36, unnumbered
14 paragraph 1, Code 2018, is amended to read as follows:

15 The sales price from sales of tangible personal property
16 or specified digital products or of the sale or furnishing of
17 electrical energy, natural or artificial gas, or communication
18 service to another state or political subdivision of another
19 state if the other state provides a similar reciprocal
20 exemption for this state and political subdivision of this
21 state.

22 Sec. 180. Section 423.3, subsection 39, paragraph a,
23 subparagraphs (1) and (2), Code 2018, are amended to read as
24 follows:

25 (1) Sales of tangible personal property or specified
26 digital products, or the furnishing of services, of a
27 nonrecurring nature, by the owner, if the seller, at the time
28 of the sale, is not engaged for profit in the business of
29 selling tangible personal property, specified digital products,
30 or services taxed under section 423.2.

31 (2) The sale of all or substantially all of the tangible
32 personal property, or specified digital products, or services
33 held or used by a seller in the course of the seller's trade or
34 business for which the seller is required to hold a sales tax
35 permit when the seller sells or otherwise transfers the trade

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1 or business to another person who shall engage in a similar
2 trade or business.

3 Sec. 181. Section 423.3, subsection 39, Code 2018, is
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. c. The exemption under this subsection does
6 not apply to sales for which a person is required pursuant to
7 section 423.14A to collect sales and use tax.

8 Sec. 182. Section 423.3, subsection 47, paragraph d,
9 subparagraph (1), Code 2018, is amended to read as follows:

10 (1) "*Commercial enterprise*" ~~includes means~~ businesses
11 and manufacturers conducted for profit ~~and centers for data~~
12 ~~processing services to, for-profit and nonprofit insurance~~
13 ~~companies, and for-profit and nonprofit financial institutions,~~
14 ~~businesses, and manufacturers, but excludes other nonprofits~~
15 ~~and professions and occupations and nonprofit organizations.~~

16 Sec. 183. Section 423.3, subsection 47, paragraph d,
17 subparagraph (4), Code 2018, is amended by striking the
18 subparagraph and inserting in lieu thereof the following:

19 (4)(a) "*Manufacturer*" means a business that primarily
20 purchases, receives, or holds personal property of any
21 description for the purpose of adding to its value by a process
22 of manufacturing with a view to selling the property for gain
23 or profit.

24 (b) "*Manufacturer*" includes contract manufacturers. A

25 contract manufacturer is a manufacturer that otherwise falls
26 within the definition of manufacturer, except that a contract
27 manufacturer does not sell the tangible personal property
28 the contract manufacturer processes on behalf of other
29 manufacturers.
30 (c) “*Manufacturer*” does not include persons who are not
31 commonly understood as manufacturers, including but not limited
32 to persons engaged in any of the following activities:
33 (i) Construction contracting.
34 (ii) Repairing tangible personal property or real property.
35 (iii) Providing health care.

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1 (iv) Farming, including cultivating agricultural products
2 and raising livestock.
3 (v) Transporting for hire.
4 (d) For purposes of this subparagraph:
5 (i) “*Business*” means those businesses conducted for
6 profit, but excludes professions and occupations and nonprofit
7 organizations.
8 (ii) “*Manufacturing*” means those activities commonly
9 understood within the ordinary meaning of the term, and shall
10 include:
11 (A) Refining.
12 (B) Purifying.
13 (C) Combining of different materials.
14 (D) Packing of meats.
15 (E) Activities subsequent to the extractive process of
16 quarrying or mining, such as crushing, washing, sizing, or
17 blending of aggregate materials.
18 (iii) “*Manufacturing*” does not include activities occurring
19 on premises primarily used to make retail sales.
20 Sec. 184. Section 423.3, subsection 63, Code 2018, is
21 amended to read as follows:
22 63. The sales price from the sale of tangible personal
23 property, specified digital products, or services which will be
24 given as prizes to players in games of skill, games of chance,
25 raffles, and bingo games as defined in chapter 99B.
26 Sec. 185. Section 423.3, subsections 65, 66, and 67, Code
27 2018, are amended by striking the subsections.
28 Sec. 186. Section 423.3, subsection 78, paragraph a,
29 unnumbered paragraph 1, Code 2018, is amended to read as
30 follows:
31 The sales price from ~~sales or rental~~ the sale of tangible
32 personal property, specified digital products, or services
33 rendered by any entity where the profits from the ~~sales or~~
34 ~~rental sale~~ of the tangible personal property, specified
35 digital products, or services rendered, are used by or donated

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1 to a nonprofit entity that is exempt from federal income
 2 taxation pursuant to section 501(c)(3) of the Internal Revenue
 3 Code, a government entity, or a nonprofit private educational
 4 institution, and where the entire proceeds from the ~~sales,~~
 5 ~~rental,~~ sale or services are expended for any of the following
 6 purposes:

7 Sec. 187. Section 423.3, subsection 79, Code 2018, is
 8 amended to read as follows:

9 79. The sales price from the sale ~~or rental~~ of tangible
 10 personal property ~~or specified digital products,~~ or from
 11 services furnished, to a recognized community action agency as
 12 provided in section 216A.93 to be used for the purposes of the
 13 agency.

14 Sec. 188. Section 423.3, Code 2018, is amended by adding the
 15 following new subsections:

16 NEW SUBSECTION. 103.a. The sales price of specified
 17 digital products and of prewritten computer software sold, and
 18 of enumerated services described in section 423.2, subsection
 19 6, paragraphs “*bq*”, “*br*”, “*bs*”, and “*bu*” furnished, to a
 20 commercial enterprise for use exclusively by the commercial
 21 enterprise. The use of prewritten computer software, a
 22 specified digital product, or service fails to qualify as a
 23 use exclusively by the commercial enterprise if its use for
 24 noncommercial purposes is more than de minimis.

25 *b.* For purposes of this subsection:

26 (1) “*Commercial enterprise*” means the same as defined in
 27 section 423.3, subsection 47, paragraph “*d*”, subparagraph (1),
 28 but also includes professions and occupations.

29 (2) “*De minimis*” and “*noncommercial purposes*” shall be
 30 defined by the director by rule.

31 NEW SUBSECTION. 104. The sales price of specified digital
 32 products sold to a non-end user. For purposes of this
 33 subsection, “*non-end user*” means a person who receives by
 34 contract a specified digital product for further commercial
 35 broadcast, rebroadcast, transmission, retransmission,

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1 licensing, relicensing, distribution, redistribution, or
 2 exhibition of the product, in whole or in part, to another
 3 person.

4 NEW SUBSECTION. 105. The sales price for transportation
 5 services furnished by emergency or nonemergency medical
 6 transportation, by a paratransit service, and by a public
 7 transit system as defined in section 324A.1.

8 Sec. 189. Section 423.4, subsection 3, unnumbered paragraph
 9 1, Code 2018, is amended to read as follows:

10 A relief amount may apply to the director for refund of the
 11 amount of sales or use tax imposed and paid upon sales to it
 12 of any goods, wares, merchandise, tangible personal property

13 or specified digital products, or services furnished, used for
14 free distribution to the poor and needy.

15 Sec. 190. Section 423.4, subsection 3, paragraph a,
16 subparagraph (1), Code 2018, is amended to read as follows:

17 (1) On forms furnished by the department, and filed within
18 the time as the director shall provide by rule, the relief
19 agency shall report to the department the total amount or
20 amounts, valued in money, expended directly or indirectly
21 for ~~goods, wares, merchandise, tangible personal property or~~
22 specified digital products, or services furnished, used for
23 free distribution to the poor and needy.

24 Sec. 191. Section 423.4, subsection 10, paragraph e, Code
25 2018, is amended to read as follows:

26 e. There is established within the state treasury under the
27 control of the department a baseball and softball complex sales
28 tax rebate fund consisting of the amount of state sales tax
29 revenues transferred pursuant to section ~~423.2, subsection 11,~~
30 ~~paragraph "b", subparagraph (4)~~ 423.2A, subsection 2, paragraph
31 "d". An account is created within the fund for each baseball
32 and softball complex receiving an award under section 15F.207
33 and meeting the qualifications of this subsection. Moneys
34 in the fund shall only be used to provide rebates of state
35 sales tax pursuant to this subsection, and only the state sales

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1 tax revenues in the baseball and softball complex rebate fund
2 are subject to rebate under this subsection. The amount of
3 rebates paid from each baseball and softball complex's account
4 within the fund shall not exceed the amount of the award under
5 section 15F.207, and not more than five million dollars in
6 total rebates shall be paid from the fund. Any moneys in the
7 fund which represent state sales tax revenue for which the time
8 period in paragraph "c" for receiving a rebate has expired,
9 or which otherwise represent state sales tax revenue that has
10 become ineligible for rebate pursuant to this subsection, shall
11 immediately revert to the general fund of this state.

12 Sec. 192. Section 423.4, subsection 11, paragraph b,
13 subparagraph (1), Code 2018, is amended to read as follows:

14 (1) Sales tax imposed and collected by retailers upon
15 sales of tangible personal property or services furnished to
16 purchasers at the raceway facility. Notwithstanding the state
17 sales tax imposed in section 423.2, a sales tax rebate issued
18 pursuant to this subparagraph shall not exceed the amounts
19 transferred to the raceway facility tax rebate fund pursuant to
20 section ~~423.2, subsection 11, paragraph "b", subparagraph (7)~~
21 423.2A, subsection 2, paragraph "g".

22 Sec. 193. Section 423.4, subsection 11, paragraph b,
23 subparagraph (2), subparagraph division (c), Code 2018, is
24 amended to read as follows:

25 (c) Notwithstanding the state sales tax imposed in section
26 423.2, a sales tax rebate issued pursuant to this subparagraph

27 shall not exceed the amounts remaining after the transfers
 28 required under section ~~423.2, subsection 11, paragraph "b",~~
 29 ~~subparagraphs (1) through (6)~~ 423.2A, subsection 2, paragraphs
 30 "a" through "f", have been made from the total amount of sales
 31 tax for which the rebate is requested.

32 Sec. 194. Section 423.4, subsection 11, paragraph e, Code
 33 2018, is amended to read as follows:

34 e. There is established within the state treasury under
 35 the control of the department a raceway facility tax rebate

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1 fund consisting of the amount of state sales tax revenues
 2 transferred pursuant to section ~~423.2, subsection 11, paragraph~~
 3 ~~"b", subparagraph (7)~~ 423.2A, subsection 2, paragraph "g". An
 4 account is created within the fund for each raceway facility
 5 meeting the qualifications of this subsection. Moneys in the
 6 fund shall only be used to provide rebates of state sales tax
 7 pursuant to paragraph "b", subparagraph (1). The total amount
 8 of rebates paid from the fund shall not exceed the amount
 9 specified in paragraph "c", subparagraph (4), subparagraph
 10 division (a) or (b), whichever is applicable. Any moneys in
 11 the fund which represent state sales tax revenue for which the
 12 time period in paragraph "c" for receiving a rebate has expired,
 13 or which otherwise represent state sales tax revenue that has
 14 become ineligible for rebate pursuant to this subsection shall
 15 immediately revert to the general fund of the state.

16 Sec. 195. Section 423.5, subsection 1, paragraph a, Code
 17 2018, is amended to read as follows:

18 a. The use in this state of tangible personal property
 19 as defined in section 423.1, including aircraft subject to
 20 registration under section 328.20, purchased for use in this
 21 state. For the purposes of this subchapter, the furnishing
 22 or use of the following services is also treated as the use
 23 of tangible personal property: optional service or warranty
 24 contracts, except residential service contracts regulated under
 25 chapter 523C, vulcanizing, recapping, or retreading services,
 26 engraving, ~~photography, retouching,~~ printing, or binding
 27 services, and communication service when furnished or delivered
 28 to consumers or users within this state.

29 Sec. 196. Section 423.5, subsection 1, paragraph d, Code
 30 2018, is amended to read as follows:

31 d. Purchases of tangible personal property or specified
 32 digital products made from the government of the United States
 33 or any of its agencies by ultimate consumers shall be subject
 34 to the tax imposed by this section. Services purchased from
 35 the same source or sources shall be subject to the service

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1 tax imposed by this subchapter and apply to the user of the
 2 services.

3 Sec. 197. Section 423.5, subsection 1, Code 2018, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *f.*(1) The use in this state of specified
6 digital products. The tax applies whether the purchaser
7 obtains permanent use or less than permanent use of the
8 specified digital product, whether the use is conditioned or
9 not conditioned upon continued payment from the purchaser,
10 and whether the use is on a subscription basis or is not on a
11 subscription basis.

12 (2) The use of a digital code that may be used to obtain
13 or access a specified digital product shall be taxed in the
14 same manner as the specified digital product. For purposes of
15 this subparagraph, “*digital code*” means the same as defined in
16 section 423.2, subsection 9A.

17 Sec. 198. Section 423.5, subsection 3, Code 2018, is amended
18 to read as follows:

19 3. For the purpose of the proper administration of the use
20 tax and to prevent its evasion, evidence that tangible personal
21 property ~~was~~ or specified digital products were sold by any
22 person for delivery in this state shall be prima facie evidence
23 that such tangible personal property ~~was~~ or specified digital
24 products were sold for use in this state.

25 Sec. 199. Section 423.5, subsection 4, Code 2018, is amended
26 by striking the subsection.

27 Sec. 200. Section 423.6, unnumbered paragraph 1, Code 2018,
28 is amended to read as follows:

29 The use in this state of the following tangible personal
30 property, specified digital products, and services is exempted
31 from the tax imposed by this subchapter:

32 Sec. 201. Section 423.6, subsections 1, 2, 4, and 6, Code
33 2018, are amended to read as follows:

34 1. Tangible personal property, specified digital products,
35 and enumerated services, the sales price from the sale of which

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1 are required to be included in the measure of the sales tax, if
2 that tax has been paid to the department or the retailer. This
3 exemption does not include vehicles subject to registration or
4 subject only to the issuance of a certificate of title.

5 2. The sale of tangible personal property, specified
6 digital products, or the furnishing of services in the regular
7 course of business.

8 4. All articles of tangible personal property and all
9 specified digital products brought into the state of Iowa by a
10 nonresident individual for the individual’s use or enjoyment
11 while within the state.

12 6. Tangible personal property, specified digital products,
13 or services the sales price of which is exempt from the sales
14 tax under section 423.3, except section 423.3, subsections 39
15 and 73, as it relates to the sale, but not the lease or rental,
16 of vehicles subject only to the issuance of a certificate of

17 title and as it relates to aircraft subject to registration
 18 under section 328.20.
 19 Sec. 202. Section 423.14, subsection 2, paragraphs b and c,
 20 Code 2018, are amended to read as follows:
 21 *b.* The tax upon the use of all tangible personal property
 22 and specified digital products other than that enumerated in
 23 paragraph “a”, which is sold by a seller who is a retailer
 24 ~~maintaining a place of business in this state, or by such other~~
 25 ~~retailer or agent as the director shall authorize pursuant to~~
 26 ~~section 423.30 or its agent that is not otherwise required~~
 27 to collect sales tax under the provisions of this chapter,
 28 shall be collected by the retailer or agent and remitted to the
 29 department, pursuant to the provisions of paragraph “e”, and
 30 sections 423.24, 423.29, 423.30, 423.32, and 423.33.
 31 *c.* The tax upon the use of all tangible personal property
 32 and specified digital products not paid pursuant to paragraphs
 33 “a” and “b” shall be paid to the department directly by any
 34 person using the property within this state, pursuant to the
 35 provisions of section 423.34.

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1 Sec. 203.NEW SECTION. 423.14A Persons required to collect
 2 sales and use tax — supplemental conditions, requirements, and
 3 responsibilities.
 4 1. For purposes of this section:
 5 *a.* “*Iowa sales*” means sales of tangible personal property,
 6 services, or specified digital products sourced to this state
 7 pursuant to section 423.15, 423.16, 423.17, 423.19, or 423.20,
 8 or that are otherwise sold in this state or for delivery into
 9 this state.
 10 *b.*(1) “*Marketplace facilitator*” means a person, including
 11 any affiliate of the person, who facilitates a retail sale by
 12 satisfying subparagraph divisions (a) and (b) as follows:
 13 (a) The person directly or indirectly does any of the
 14 following:
 15 (i) Lists, makes available, or advertises tangible personal
 16 property, services, or specified digital products for sale
 17 by a marketplace seller in a marketplace owned, operated, or
 18 controlled by the person.
 19 (ii) Facilitates the sale of a marketplace seller’s
 20 product through a marketplace by transmitting or otherwise
 21 communicating an offer or acceptance of a retail sale of
 22 tangible personal property, services, or specified digital
 23 products between a marketplace seller and a purchaser in a
 24 forum including a shop, store, booth, catalog, internet site,
 25 or similar forum.
 26 (iii) Owns, rents, licenses, makes available, or operates
 27 any electronic or physical infrastructure or any property,
 28 process, method, copyright, trademark, or patent that connects
 29 marketplace sellers to purchasers for the purpose of making
 30 retail sales of tangible personal property, services, or

31 specified digital products.
32 (iv) Provides a marketplace for making retail sales of
33 tangible personal property, services, or specified digital
34 products, or otherwise facilitates retail sales of tangible
35 personal property, services, or specified digital products,

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1 regardless of ownership or control of the tangible personal
2 property, services, or specified digital products that are the
3 subject of the retail sale.
4 (v) Provides software development or research and
5 development activities related to any activity described in
6 this subparagraph division (a), if such software development or
7 research and development activities are directly related to the
8 physical or electronic marketplace provided by a marketplace
9 provider.
10 (vi) Provides or offers fulfillment or storage services for
11 a marketplace seller.
12 (vii) Sets prices for a marketplace seller's sale of
13 tangible personal property, services, or specified digital
14 products.
15 (viii) Provides or offers customer service to a marketplace
16 seller or a marketplace seller's customers, or accepts or
17 assists with taking orders, returns, or exchanges of tangible
18 personal property, services, or specified digital products sold
19 by a marketplace seller.
20 (ix) Brands or otherwise identifies sales as those of the
21 marketplace facilitator.
22 (b) The person directly or indirectly does any of the
23 following:
24 (i) Collects the sales price or purchase price of a retail
25 sale of tangible personal property, services, or specified
26 digital products.
27 (ii) Provides payment processing services for a retail sale
28 of tangible personal property, services, or specified digital
29 products.
30 (iii) Charges, collects, or otherwise receives selling
31 fees, listing fees, referral fees, closing fees, fees for
32 inserting or making available tangible personal property,
33 services, or specified digital products on a marketplace, or
34 other consideration from the facilitation of a retail sale of
35 tangible personal property, services, or specified digital

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1 products, regardless of ownership or control of the tangible
2 personal property, services, or specified digital products that
3 are the subject of the retail sale.
4 (iv) Through terms and conditions, agreements, or
5 arrangements with a third party, collects payment in connection
6 with a retail sale of tangible personal property, services,

7 or specified digital products from a purchaser and transmits
8 that payment to the marketplace seller, regardless of whether
9 the person collecting and transmitting such payment receives
10 compensation or other consideration in exchange for the
11 service.

12 (v) Provides a virtual currency that purchasers are allowed
13 or required to use to purchase tangible personal property,
14 services, or specified digital products.

15 (2) "*Marketplace facilitator*" includes but is not limited
16 to a person who satisfies the requirements of this paragraph
17 through the ownership, operation, or control of a digital
18 distribution service, digital distribution platform, online
19 portal, or application store.

20 (3) A "*rental platform*", as defined in section 423C.2, that
21 meets the requirements described in section 423C.3, subsection
22 3, paragraph "c", subparagraph (2), shall not be considered
23 a "*marketplace facilitator*" with respect to any sale of a
24 transportation service under section 423.2, subsection 6,
25 paragraph "bf", or section 423.5, subsection 1, paragraph "e",
26 consisting of the rental of vehicles subject to registration
27 which are registered for a gross weight of thirteen tons or
28 less for a period of sixty days or less.

29 c. "*Marketplace seller*" means any of the following:

30 (1) A seller that makes retail sales through any physical
31 or electronic marketplace owned, operated, or controlled by a
32 marketplace facilitator, even if such seller would not have
33 been required to collect and remit sales and use tax had the
34 sale not been made through such marketplace.

35 (2) A seller that makes retail sales resulting from a

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1 referral by a referrer, even if such seller would not have been
2 required to collect and remit sales and use tax had the sale
3 not been made through such referrer.

4 2. In addition to and not in lieu of any application of
5 this chapter to sellers who are retailers and sellers who are
6 retailers maintaining a place of business in this state, any
7 person described in subsection 3, or the person's agents,
8 shall be considered a retailer in this state and a retailer
9 maintaining a place of business in this state for purposes of
10 this chapter on or after January 1, 2019, and shall be subject
11 to all requirements of this chapter imposed on retailers and
12 retailers maintaining a place of business in this state,
13 including but not limited to the requirement to collect and
14 remit sales and use taxes pursuant to sections 423.14 and
15 423.29, and local option taxes under chapter 423B.

16 3.a. A retailer that has gross revenue from Iowa sales
17 equal to or exceeding one hundred thousand dollars for an
18 immediately preceding calendar year or a current calendar year.

19 b. A retailer that makes Iowa sales in two hundred or more
20 separate transactions for an immediately preceding calendar

21 year or a current calendar year.

22 c.(1) A retailer that owns, licenses, or uses software
23 or data files that are installed or stored on property used
24 in this state. For purposes of this subparagraph, “*software*
25 *or data files*” include but are not limited to software that is
26 affirmatively downloaded by a user, software that is downloaded
27 as a result of the use of a website, preloaded software, and
28 cookies.

29 (2) A retailer that uses in-state software to make Iowa
30 sales. For purposes of this subparagraph, “*in-state software*”
31 means computer software that is installed or stored on property
32 located in this state or that is distributed within this state
33 for the purpose of facilitating a sale by the retailer.

34 (3) A retailer that provides, or enters into an agreement
35 with another person to provide, a content distribution network

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1 in this state to facilitate, accelerate, or enhance the
2 delivery of the retailer’s internet site to purchasers. For
3 purposes of this subparagraph, “*content distribution network*”
4 means a system of distributed servers that deliver internet
5 sites and other internet content to a user based on the
6 geographic location of the user, the origin of the internet
7 site or internet content, and a content delivery server.

8 (4) This paragraph “c” shall not apply to a retailer that
9 has gross revenue from Iowa sales of less than one hundred
10 thousand dollars for an immediately preceding calendar year or
11 a current calendar year.

12 d.(1) A marketplace facilitator that makes or facilitates
13 Iowa sales on its own behalf or for one or more marketplace
14 sellers equal to or exceeding one hundred thousand dollars,
15 or in two hundred or more separate transactions, for an
16 immediately preceding calendar year or a current calendar year.

17 (2) A marketplace facilitator shall collect sales and
18 use tax on the entire sales price or purchase price paid by
19 a purchaser on each Iowa sale subject to sales and use tax
20 that is made or facilitated by the marketplace facilitator,
21 regardless of whether the marketplace seller for whom an Iowa
22 sale is made or facilitated has or is required to have a
23 retail sales tax permit or would have been required to collect
24 sales and use tax had the sale not been facilitated by the
25 marketplace facilitator, and regardless of the amount of the
26 sales price or purchase price that will ultimately accrue
27 to or benefit the marketplace facilitator, the marketplace
28 seller, or any other person. This sales and use tax collection
29 responsibility of a marketplace facilitator applies but shall
30 not be limited to sales facilitated through a computer software
31 application, commonly referred to as in-app purchases, or
32 through another specified digital product.

33 (3) A marketplace facilitator shall be relieved of
34 liability under this paragraph “d” for failure to collect and

35 remit sales and use tax on an Iowa sale made or facilitated for

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1 a marketplace seller under the following circumstances and up
2 to the amounts permitted under the following circumstances:

3 (a) If the marketplace facilitator demonstrates to the
4 satisfaction of the department that the marketplace facilitator
5 has made a reasonable effort to obtain accurate information
6 from the marketplace seller about a retail sale and that
7 the failure to collect and remit the correct tax was due to
8 incorrect information provided to the marketplace facilitator
9 by the marketplace seller, then the marketplace facilitator
10 shall be relieved of liability for that retail sale. This
11 subparagraph division does not apply with regard to a retail
12 sale for which the marketplace facilitator is the seller or if
13 the marketplace facilitator and the seller are affiliates. For
14 Iowa sales for which a marketplace facilitator is relieved of
15 liability under this subparagraph division, the marketplace
16 seller and purchaser are liable for any amount of uncollected,
17 unpaid, or unremitted tax.

18 (b)(i) Subject to the limitation in subparagraph
19 subdivision (ii), if the marketplace facilitator demonstrates
20 to the satisfaction of the department that the Iowa sale was
21 made or facilitated for a marketplace seller prior to January
22 1, 2026, through a marketplace of the marketplace facilitator,
23 that the marketplace facilitator is not the seller and that
24 the marketplace facilitator and the seller are not affiliates,
25 and that the failure to collect sales and use tax was due to
26 an error other than an error in sourcing the sale. To the
27 extent that a marketplace facilitator is relieved of liability
28 for collection of sales and use tax under this subparagraph
29 division, the marketplace seller for whom the marketplace
30 facilitator has made or facilitated the Iowa sale is also
31 relieved of liability. The department may determine the manner
32 in which a marketplace facilitator or marketplace seller shall
33 claim the liability relief provided in this subparagraph
34 division.

35 (ii) The liability relief provided in subparagraph

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1 subdivision (i) shall not exceed the following percentage
2 of the total sales and use tax due on Iowa sales made or
3 facilitated by a marketplace facilitator for marketplace
4 sellers and sourced to this state during a calendar year,
5 which Iowa sales shall not include sales by the marketplace
6 facilitator or affiliates of the marketplace facilitator:

7 (A) For Iowa sales made or facilitated during the 2019
8 calendar year, ten percent.

9 (B) For Iowa sales made or facilitated during calendar years
10 2020 through 2024, five percent.

- 11 (C) For Iowa sales made or facilitated during the 2025
12 calendar year, three percent.
- 13 (c) Nothing in this subparagraph (3) shall be construed to
14 relieve any person of liability for collecting but failing to
15 remit to the department sales and use tax.
- 16 (d) A marketplace facilitator is deemed to be an agent
17 of any marketplace seller making retail sales through a
18 marketplace of the marketplace facilitator.
- 19 e.(1) A referrer if, for any immediately preceding
20 calendar year or a current calendar year, one hundred thousand
21 dollars or more in Iowa sales or two hundred or more separate
22 Iowa sales transactions result from referrals from a platform
23 of the referrer. A referrer is not required to collect and
24 remit sales and use tax pursuant to this paragraph if the
25 referrer does all of the following:
- 26 (a) The referrer posts a conspicuous notice on each platform
27 of the referrer that includes all of the following:
- 28 (i) A statement that sales or use tax is due on certain
29 purchases.
- 30 (ii) A statement that the marketplace seller from whom the
31 person is purchasing on the platform may or may not collect and
32 remit sales and use tax on a purchase.
- 33 (iii) A statement that Iowa requires the purchaser to pay
34 sales or use tax and file sales or use tax returns if sales
35 or use tax is not collected at the time of the sale by the

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- 1 marketplace seller.
- 2 (iv) Information informing the purchaser that the notice is
3 provided under the requirements of this subparagraph.
- 4 (v) Instructions for obtaining additional information from
5 the department regarding whether and how to remit sales and use
6 tax to the state of Iowa.
- 7 (b) The referrer provides a monthly notice to each
8 marketplace seller to whom the referrer made a referral of a
9 potential customer located in Iowa during the previous calendar
10 year, which monthly notice shall contain all of the following:
- 11 (i) A statement that Iowa imposes a sales or use tax on Iowa
12 sales.
- 13 (ii) A statement that a marketplace facilitator or other
14 retailer making Iowa sales must collect and remit sales and use
15 tax.
- 16 (iii) Instructions for obtaining additional information
17 from the department regarding the collection and remittance of
18 Iowa sales and use tax.
- 19 (c) The referrer provides the department with monthly
20 reports in an electronic format and in the manner prescribed
21 by the department, which monthly reports contain all of the
22 following:
- 23 (i) A list of marketplace sellers who received the
24 referrer's notice under subparagraph division (b).

- 25 (ii) A list of marketplace sellers that collect and
26 remit Iowa sales and use tax and that list or advertise the
27 marketplace seller's products for sale on a platform of the
28 referrer.
- 29 (iii) An affidavit signed under penalty of perjury from
30 an officer of the referrer affirming that the referrer made
31 reasonable efforts to comply with the applicable sales and use
32 tax notice and reporting requirements of this subparagraph.
- 33 (2) A referrer is deemed to be an agent of any marketplace
34 seller making retail sales resulting from a referral of the
35 referrer.

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- 1 (3) For purposes of this paragraph:
- 2 (a) "*Platform*" means an electronic or physical medium,
3 including but not limited to an internet site or catalog, that
4 is owned, operated, or controlled by a referrer.
- 5 (b) "*Referral*" means the transfer through telephone,
6 internet link, or other means by a referrer of a potential
7 customer to a retailer or seller who advertises or lists
8 products for sale on a platform of the referrer.
- 9 (c)(i) "*Referrer*" means a person who does all of the
10 following:
- 11 (A) Contracts or otherwise agrees with a retailer, seller,
12 or marketplace facilitator to list or advertise for sale a
13 product of the retailer, seller, or marketplace facilitator on
14 a platform, provided such listing or advertisement identifies
15 whether or not the retailer, seller, or marketplace facilitator
16 collects sales and use tax.
- 17 (B) Receives a commission, fee, or other consideration
18 from the retailer, seller, or marketplace facilitator for the
19 listing or advertisement.
- 20 (C) Provides referrals to a retailer, seller, or
21 marketplace facilitator, or an affiliate of a retailer, seller,
22 or marketplace facilitator.
- 23 (D) Does not collect money or other consideration from the
24 customer for the transaction.
- 25 (ii) "*Referrer*" does not include any of the following:
- 26 (A) A person primarily engaged in the business of printing
27 or publishing a newspaper.
- 28 (B) A person who does not provide the retailer's, seller's,
29 or marketplace facilitator's shipping terms and who does
30 not advertise whether a retailer, seller, or marketplace
31 facilitator collects sales or use tax.
- 32 (4) This paragraph only applies to referrals by a referrer
33 and shall not preclude the applicability of other provisions
34 of this section to a person who is a referrer and is also a
35 retailer, a marketplace facilitator, or a marketplace seller.

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1 f.(1) A retailer that makes Iowa sales through the use of
2 a solicitor. For purposes of this paragraph, “*solicitor*” means
3 a person that directly or indirectly solicits business for a
4 retailer.

5 (2)(a) A retailer is deemed to have a solicitor in
6 this state if the retailer enters into an agreement with a
7 resident under which the resident, for a commission, fee, or
8 other similar consideration, directly or indirectly refers
9 potential customers, whether by link on an internet site,
10 or otherwise, to the retailer. This determination may be
11 rebutted by a showing of proof that the resident with whom the
12 retailer has an agreement did not engage in any solicitation
13 in this state on behalf of the retailer that would satisfy the
14 nexus requirement of the United States Constitution during the
15 calendar year in question.

16 (b) This subparagraph (2) shall not apply to a retailer that
17 has Iowa gross revenue from Iowa sales of ten thousand dollars
18 or less for an immediately preceding calendar year or a current
19 calendar year.

20 (c) For purposes of this subparagraph (2):

21 (i) “*Iowa gross revenue*” means gross revenue from Iowa
22 sales to purchasers who were referred to the retailer by all
23 solicitors who are residents.

24 (ii) “*Resident*” includes an individual who is a resident
25 of this state, as defined in section 422.4, and any business
26 that owns any tangible or intangible property with a situs in
27 this state, or that has one or more employees performing or
28 providing services for the business in this state.

29 (d) This paragraph “*f*” does not apply to chapter 422 and
30 does not expand or contract the state’s jurisdiction to tax a
31 trade or business under chapter 422.

32 g. A retailer that owns, controls, rents, licenses, makes
33 available, or uses any tangible or intangible property in this
34 state or with a situs in this state, to make or otherwise
35 facilitate a retail sale.

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1 h.(1) Any person that enters into a contract or agreement
2 with a governmental entity, including but not limited to
3 contracts for the provision of financial assistance or
4 incentives such as a tax credit, forgivable loan, grant, tax
5 rebate, or any other thing of value. For purposes of this
6 subparagraph, “*governmental entity*” means any unit of government
7 in the executive, legislative, or judicial branch, or any
8 political subdivision of the state, including but not limited
9 to a city, county, township, or school district.

10 (2) Every bid submitted and each contract or agreement
11 executed by a state agency shall contain a certification by
12 the bidder or contractor stating that the bidder or contractor

13 is registered with the department pursuant to this chapter
 14 and will collect and remit Iowa sales and use tax due under
 15 this chapter. In the certification, the bidder or contractor
 16 shall also acknowledge that the state agency may declare the
 17 contractor or bid void if the certification is false or becomes
 18 false. Fraudulent certification, by act or omission, may
 19 result in the state agency or its representative filing for
 20 damages for breach of contract.

21 *i.* Any affiliate of any person that is required to collect
 22 and remit sales and use tax under this chapter, provided the
 23 affiliate makes retail sales.

24 Sec. 204. NEW SECTION. 423.14B Sales and use tax reporting
 25 **requirements — penalties.**

26 1. For purposes of this section, “*Iowa sales*” and
 27 “*marketplace facilitator*” all mean the same as defined in
 28 section 423.14A.

29 2. The department may, in its discretion, adopt rules
 30 pursuant to chapter 17A establishing and imposing notice and
 31 reporting requirements related to Iowa sales for retailers,
 32 including but not limited to marketplace facilitators,
 33 who do not collect and remit sales and use tax under this
 34 chapter. The rules may include but are not limited to rules
 35 requiring retailers, including but not limited to marketplace

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1 facilitators, to do any of the following:

2 *a.* Notify purchasers at the time of an Iowa sales
 3 transaction of sales and use tax obligations under this
 4 chapter.

5 *b.* Provide purchasers with periodic reports of purchases
 6 that are Iowa sales.

7 *c.* Provide the department with annual reports that include
 8 but are not limited to information relating to purchases,
 9 purchasers, and Iowa sales.

10 3.*a.* The department may adopt rules pursuant to chapter
 11 17A establishing and imposing penalties as described in and
 12 subject to the dollar limitations of paragraph “*b*”, provided
 13 that any such penalty shall include a procedure for waiver
 14 of the penalty upon a showing of reasonable cause for such
 15 failure.

16 *b.*(1) The department may impose penalties for failure to
 17 provide a notification to a purchaser in the manner and form
 18 prescribed by the department by rule. Such penalties shall not
 19 exceed five dollars for each failure.

20 (2) The department may impose penalties for failure to
 21 provide a purchaser with a periodic report of purchases in the
 22 manner and form prescribed by the department by rule. Such
 23 penalties shall not exceed ten dollars for each failure.

24 (3) The department may impose penalties for failure to
 25 provide the department with an annual report in the manner
 26 and form prescribed by the department. Such penalties shall

27 not exceed an amount per annual report equal to ten dollars
 28 multiplied by the number of purchasers for whom information
 29 should have been but was not included in the annual report.
 30 Sec. 205. Section 423.15, unnumbered paragraph 1, Code
 31 2018, is amended to read as follows:
 32 All sales of ~~products~~ tangible personal property, services,
 33 or specified digital products, except those sales enumerated
 34 in section 423.16, shall be sourced according to this section
 35 by sellers obligated to collect Iowa sales and use tax. The

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1 sourcing rules described in this section apply to sales of
 2 tangible personal property, specified digital goods ~~products~~,
 3 and all services other than telecommunications services. This
 4 section only applies to determine a seller's obligation to pay
 5 or collect and remit a Iowa sales or use tax with respect to
 6 the seller's sale of a product. This section does not affect
 7 the obligation of a purchaser or lessee to remit tax on the use
 8 of the product to the taxing jurisdictions in which the use
 9 occurs. A seller's obligation to collect Iowa sales tax or
 10 Iowa use tax only occurs if the sale is sourced to this state.
 11 ~~Whether Iowa sales tax applies to a sale sourced to Iowa shall~~
 12 ~~be determined based on the location at which the sale is~~
 13 ~~consummated by delivery or, in the case of a service, where the~~
 14 ~~first use of the service occurs~~ made by a seller subject to
 15 section 423.1, subsection 48, or section 423.14A.

16 Sec. 206. Section 423.15, subsection 1, paragraph e, Code
 17 2018, is amended to read as follows:

18 e. When paragraphs "a", "b", "c", and "d" do not apply,
 19 including the circumstance where the seller is without
 20 sufficient information to apply the previous rules, then the
 21 location will be determined by the address from which tangible
 22 personal property was shipped, from which the specified digital
 23 good product or the computer software delivered electronically
 24 was first available for transmission by the seller, or from
 25 which the service was provided disregarding for these purposes
 26 any location that merely provided the digital transfer of the
 27 product sold.

28 Sec. 207. Section 423.22, Code 2018, is amended to read as
 29 follows:

30 **423.22 Taxation in another state.**

31 If any person who causes tangible personal property or
 32 specified digital products to be brought into this state or
 33 who uses in this state services enumerated in section 423.2
 34 has already paid a tax in another state in respect to the sale
 35 or use of the property or the performance of the service, or

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1 an occupation tax in respect to the property or service, in
 2 an amount less than the tax imposed by subchapter II or III,

3 the provisions of those subchapters shall apply, but at a rate
4 measured by the difference only between the rate fixed by
5 subchapter II or III and the rate by which the previous tax on
6 the sale or use, or the occupation tax, was computed. If the
7 tax imposed and paid in the other state is equal to or more than
8 the tax imposed by those subchapters, then a tax is not due in
9 this state on the personal property or service.

10 Sec. 208. Section 423.29, subsection 1, Code 2018, is
11 amended to read as follows:

12 1. Every seller who is a retailer and who is making taxable
13 sales of tangible personal property or specified digital
14 products in Iowa shall, at the time of ~~selling the property~~
15 making the sale, collect the sales tax. Every seller who
16 is a retailer ~~maintaining a place of business in this state~~
17 that is not otherwise required to collect sales tax under the
18 provisions of this chapter and who is selling tangible personal
19 property or specified digital products for use in Iowa shall,
20 at the time of making the sale, whether within or without the
21 state, collect the use tax. Sellers required to collect sales
22 or use tax shall give to any purchaser a receipt for the tax
23 collected in the manner and form prescribed by the director.

24 Sec. 209. Section 423.30, subsection 1, Code 2018, is
25 amended to read as follows:

26 1. The director may, upon application, authorize the
27 collection of the use tax by any seller who is a retailer not
28 maintaining a place of business within this state and not
29 registered under the agreement, who, to the satisfaction of
30 the director, furnishes adequate security to ensure collection
31 and payment of the tax. Such sellers shall be issued, without
32 charge, permits to collect tax subject to any regulations
33 which the director shall prescribe. When so authorized, it
34 shall be the duty of foreign sellers to collect the tax upon
35 all tangible personal property and specified digital products

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1 sold, to the retailer's knowledge, for use within this state,
2 in the same manner and subject to the same requirements as a
3 retailer maintaining a place of business within this state.
4 The authority and permit may be canceled when, at any time, the
5 director considers the security inadequate, or that tax can
6 more effectively be collected from the person using property
7 in this state.

8 Sec. 210. Section 423.31, subsection 1, Code 2018, is
9 amended to read as follows:

10 1. Each person subject to this section and section 423.36
11 and in accordance with the provisions of this section and
12 section 423.36 shall, on or before the last day of the month
13 following the close of each calendar quarter during which
14 such person is or has become or ceased being subject to the
15 provisions of this section and section 423.36, make, sign, and
16 file a return for the calendar quarter in the form as may be

17 required. Returns shall show information relating to sales
18 prices including ~~goods, wares,~~ tangible personal property,
19 specified digital products, and services converted to the
20 use of such person, the amounts of sales prices excluded and
21 exempt from the tax, the amounts of sales prices subject to
22 tax, a calculation of tax due, and any other information for
23 the period covered by the return as may be required. Returns
24 shall be signed by the retailer or the retailer's authorized
25 agent and must be certified by the retailer to be correct in
26 accordance with forms and rules prescribed by the director.

27 Sec. 211. Section 423.31, subsection 5, paragraph a, Code
28 2018, is amended to read as follows:

29 a. Upon making application and receiving approval from
30 the director, a ~~parent corporation person~~ and its ~~affiliated~~
31 ~~corporations affiliates~~ that make retail sales of tangible
32 personal property, specified digital products, or taxable
33 enumerated services may make deposits and file a consolidated
34 sales tax return for the affiliated group, pursuant to rules
35 adopted by the director. A ~~parent corporation person~~ and each

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1 affiliate ~~corporation~~ that files a consolidated return are
2 jointly and severally liable for all tax, penalty, and interest
3 found due for the tax period for which a consolidated return is
4 filed or required to be filed.

5 Sec. 212. Section 423.32, subsection 1, paragraph b, Code
6 2018, is amended to read as follows:

7 b. The deposit form is due on or before the twentieth day of
8 the month following the month of collection, except a deposit
9 is not required for the third month of the calendar quarter,
10 and the total quarterly amount, less the amounts deposited for
11 the first two months of the quarter, is due with the quarterly
12 report on the last day of the month following the month of
13 collection. At that time, the retailer shall file with the
14 department a return for the preceding quarterly period in the
15 form prescribed by the director showing the purchase price of
16 the tangible personal property, specified digital products, and
17 services sold by the retailer during the preceding quarterly
18 period, the use of which is subject to the use tax imposed
19 by this chapter, and other information the director deems
20 necessary for the proper administration of the use tax.

21 Sec. 213. Section 423.33, subsection 3, Code 2018, is
22 amended to read as follows:

23 3. *Event sponsor's liability for sales tax.* A person
24 sponsoring a flea market or a craft, antique, coin, or stamp
25 show or similar event shall obtain from every retailer selling
26 tangible personal property, specified digital products,
27 or taxable services at the event proof that the retailer
28 possesses a valid sales tax permit or secure from the retailer
29 a statement, taken in good faith, that tangible personal
30 property, specified digital products, or services offered for

31 sale are not subject to sales tax. Failure to do so renders
 32 a sponsor of the event liable for payment of any sales tax,
 33 interest, and penalty due and owing from any retailer selling
 34 property or services at the event. Sections 423.31, 423.32,
 35 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 apply to the

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1 sponsors. For purposes of this subsection, a “*person sponsoring*
 2 *a flea market or a craft, antique, coin, or stamp show or similar*
 3 *event*” does not include an organization which sponsors an
 4 event determined to qualify as an event involving casual sales
 5 pursuant to section 423.3, subsection 39, or the state fair or
 6 a fair as defined in section 174.1.

7 Sec. 214. Section 423.33, Code 2018, is amended by adding
 8 the following new subsection:

9 NEW SUBSECTION. 4. *Liability of affiliates.*

10 a. Notwithstanding any other provision of law to the
 11 contrary, if any retailer required to collect and remit sales
 12 and use tax pursuant to sections 423.14, 423.14A, and 423.29,
 13 or any other provision of this chapter, fails to do so, all
 14 affiliates that directly, indirectly, or constructively control
 15 the retailer shall be jointly and severally liable for any tax,
 16 penalty, and interest under this chapter, regardless of whether
 17 the affiliate is a retailer.

18 b. Pursuant to paragraph “a”, the department may elect
 19 to assess the full amount of any tax, penalty, and interest
 20 against the retailer, an affiliate of the retailer described
 21 in paragraph “a”, or any combination of the retailer and the
 22 retailer’s affiliates described in paragraph “a”.

23 c. Notwithstanding any other provision of law to the
 24 contrary, the department has the discretion to deem an
 25 affiliate of a retailer an agent or alter ego of that retailer.

26 d. Notwithstanding any other provision of law to the
 27 contrary, the department has the discretion to disregard or
 28 look through any organizational structure of an enterprise in
 29 order to assess and collect any tax, penalty, and interest
 30 against an affiliate that is acting to benefit an affiliate or
 31 an enterprise of which the affiliate is a part.

32 Sec. 215. Section 423.34, Code 2018, is amended to read as
 33 follows:

34 **423.34 Liability of user.**

35 Any person who uses any tangible personal property,

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1 specified digital products, or services enumerated in section
 2 423.2 upon which the use tax has not been paid, either to the
 3 county treasurer or to a retailer or direct to the department
 4 as required by this subchapter, shall be liable for the payment
 5 of tax, and shall on or before the last day of the month next
 6 succeeding each quarterly period pay the use tax upon all

7 property or services used by the person during the preceding
8 quarterly period in the manner and accompanied by such returns
9 as the director shall prescribe. All of the provisions of
10 sections 423.32 and 423.33 with reference to the returns and
11 payments shall be applicable to the returns and payments
12 required by this section.

13 Sec. 216. Section 423.36, subsection 1, Code 2018, is
14 amended to read as follows:

15 1. A person shall not engage in or transact business as a
16 retailer making taxable sales of tangible personal property,
17 specified digital products, or furnishing services within
18 this state or as a retailer making taxable sales of tangible
19 personal property, specified digital products, or furnishing
20 services for use within this state, unless a permit has been
21 issued to the retailer under this section, except as provided
22 in subsection 7. Every person desiring to engage in or
23 transact business as a retailer shall file with the department
24 an application for a permit to collect sales or use tax. Every
25 application for a sales or use tax permit shall be made upon
26 a form prescribed by the director and shall set forth any
27 information the director may require. The application shall
28 be signed by an owner of the business if a natural person; in
29 the case of a retailer which is an association or partnership,
30 by a member or partner; and in the case of a retailer which
31 is a corporation, by an executive officer or some person
32 specifically authorized by the corporation to sign the
33 application, to which shall be attached the written evidence of
34 the person's authority.

35 Sec. 217. Section 423.36, subsection 2, paragraph a, Code

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1 2018, is amended to read as follows:

2 a. Notwithstanding subsection 1, if any person will make
3 taxable sales of tangible personal property, specified digital
4 products, or furnish services to any state agency, that person
5 shall, prior to the sale, apply for and receive a permit to
6 collect sales or use tax pursuant to this section. A state
7 agency shall not purchase tangible personal property, specified
8 digital products, or services from any person unless that
9 person has a valid, unexpired permit issued pursuant to this
10 section and is in compliance with all other requirements in
11 this chapter imposed upon retailers, including but not limited
12 to the requirement to collect and remit sales and use tax and
13 file sales and use tax returns.

14 Sec. 218. Section 423.36, subsection 7, paragraph b, Code
15 2018, is amended to read as follows:

16 b. Persons engaged in selling tangible personal property,
17 specified digital products, or furnishing services shall not be
18 required to obtain or retain a sales tax permit for a place of
19 business at which taxable sales of tangible personal property,
20 specified digital products, or taxable performance of services

21 will not occur.

22 Sec. 219. Section 423.36, subsection 9, paragraph a, Code
23 2018, is amended to read as follows:

24 a. Except as provided in paragraph “b”, purchasers, users,
25 and consumers of tangible personal property, specified digital
26 products, or enumerated services taxed pursuant to subchapter
27 II or III of this chapter or chapter 423B may be authorized,
28 pursuant to rules adopted by the director, to remit tax owed
29 directly to the department instead of the tax being collected
30 and paid by the seller. To qualify for a direct pay tax permit,
31 the purchaser, user, or consumer must accrue a tax liability
32 of more than four thousand dollars in tax under subchapters
33 II and III in a semimonthly period and make deposits and file
34 returns pursuant to section 423.31. This authority shall not
35 be granted or exercised except upon application to the director

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1 and then only after issuance by the director of a direct pay
2 tax permit.

3 Sec. 220. Section 423.40, subsection 2, Code 2018, is
4 amended to read as follows:

5 2.a. Any person who knowingly sells tangible personal
6 property, specified digital products, tickets or admissions
7 to places of amusement and athletic events, or gas, water,
8 electricity, or communication service at retail, or engages in
9 the furnishing of services enumerated in section 423.2, in this
10 state without procuring a permit to collect tax, as provided
11 in section 423.36, or who violates section 423.24 and the
12 officers of any corporation who so act are guilty of a serious
13 misdemeanor.

14 b. A person who knowingly sells tangible personal property,
15 specified digital products, tickets or admissions to places of
16 amusement and athletic events, or gas, water, electricity, or
17 communication service at retail, or engages in the furnishing
18 of services enumerated in section 423.2, in this state after
19 the person’s sales tax permit has been revoked and before it
20 has been restored as provided in section 423.36, subsection 6,
21 and the officers of any corporation who so act are guilty of an
22 aggravated misdemeanor.

23 Sec. 221. Section 423.41, Code 2018, is amended to read as
24 follows:

25 **423.41 Books — examination.**

26 Every retailer required or authorized to collect taxes
27 imposed by this chapter and every person using in this state
28 tangible personal property, specified digital products,
29 services, or the product of services shall keep records,
30 receipts, invoices, and other pertinent papers as the director
31 shall require, in the form that the director shall require,
32 for as long as the director has the authority to examine and
33 determine tax due. The director or any duly authorized agent
34 of the department may examine the books, papers, records,

35 and equipment of any person ~~either~~ selling tangible personal

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1 property, specified digital products, or services or liable
2 for the tax imposed by this chapter, and investigate the
3 character of the business of any person in order to verify
4 the accuracy of any return made, or if a return was not made
5 by the person, ascertain and determine the amount due under
6 this chapter. These books, papers, and records shall be made
7 available within this state for examination upon reasonable
8 notice when the director deems it advisable and so orders. If
9 the taxpayer maintains any records in an electronic format,
10 the taxpayer shall comply with reasonable requests by the
11 director or the director's authorized agents to provide those
12 electronic records in a standard record format. The preceding
13 requirements shall likewise apply to users and persons
14 furnishing services enumerated in section 423.2.

15 Sec. 222. Section 423.45, subsection 4, paragraphs a, b, and
16 e, Code 2018, are amended to read as follows:

17 a. The department shall issue or the seller may separately
18 provide exemption certificates in the form prescribed by the
19 director, including certificates not made of paper, which
20 conform to the requirements of paragraph "c", to assist
21 retailers in properly accounting for nontaxable sales of
22 tangible personal property, specified digital products,
23 or services to purchasers for a nontaxable purpose. The
24 department shall also allow the use of exemption certificates
25 for those circumstances in which a sale is taxable but the
26 seller is not obligated to collect tax from the buyer.

27 b. The sales tax liability for all sales of tangible
28 personal property and specified digital products and all sales
29 of services is upon the seller and the purchaser unless the
30 seller takes from the purchaser a valid exemption certificate
31 stating under penalty of perjury that the purchase is for a
32 nontaxable purpose and is not a retail sale as defined in
33 section 423.1, or the seller is not obligated to collect tax
34 due, or unless the seller takes a fuel exemption certificate
35 pursuant to subsection 5. If the tangible personal property,

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1 specified digital products, or services are purchased tax free
2 pursuant to a valid exemption certificate and the tangible
3 personal property, specified digital products, or services are
4 used or disposed of by the purchaser in a nonexempt manner, the
5 purchaser is solely liable for the taxes and shall remit the
6 taxes directly to the department and sections 423.31, 423.32,
7 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 shall apply
8 to the purchaser.

9 e. If the circumstances change and as a result the tangible
10 personal property, specified digital products, or services are

11 used or disposed of by the purchaser in a nonexempt manner or
 12 the purchaser becomes obligated to pay the tax, the purchaser
 13 is liable solely for the taxes and shall remit the taxes
 14 directly to the department in accordance with this subsection.

15 Sec. 223. Section 423.57, Code 2018, is amended to read as
 16 follows:

17 **423.57 Statutes applicable.**

18 The director shall administer this subchapter as it relates
 19 to the taxes imposed in this chapter in the same manner and
 20 subject to all the provisions of, and all of the powers,
 21 duties, authority, and restrictions contained in sections
 22 423.14, 423.14A, 423.14B, 423.15, 423.16, 423.17, 423.19,
 23 423.20, 423.21, 423.22, 423.23, 423.24, 423.25, 423.29, 423.31,
 24 423.32, 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38,
 25 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection
 26 1, and sections 423.45, 423.46, and 423.47.

27 Sec. 224. Section 423.58, Code 2018, is amended to read as
 28 follows:

29 **423.58 Collection, permit, and tax return exemption for**
 30 **certain out-of-state businesses.**

31 Notwithstanding sections 423.14, 423.14A, 423.14B, 423.29,
 32 423.31, 423.32, and 423.36, a person meeting the requirements
 33 of section 29C.24 is not required to obtain a sales or use tax
 34 permit, collect and remit sales and use tax, or make and file
 35 applicable sales or use tax returns, as provided in section

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1 29C.24, subsection 3, paragraph "a", subparagraph (2).

2 Sec. 225. Section 423B.5, subsection 1, Code 2018, is
 3 amended to read as follows:

4 1. A local sales and services tax at the rate of not more
 5 than one percent may be imposed by a county on the sales price
 6 taxed by the state under chapter 423, subchapter II. A local
 7 sales and services tax shall be imposed on the same basis as
 8 the state sales and services tax or in the case of the use of
 9 natural gas, natural gas service, electricity, or electric
 10 service on the same basis as the state use tax and shall not
 11 be imposed on the sale of any property or on any service not
 12 taxed by the state, except the tax shall not be imposed on
 13 the sales price from the sale of motor fuel or special fuel
 14 as defined in chapter 452A which is consumed for highway use
 15 or in watercraft or aircraft if the fuel tax is paid on the
 16 transaction and a refund has not or will not be allowed, on the
 17 sales price from the sale of equipment by the state department
 18 of transportation, or on the sales price from the sale or use
 19 of natural gas, natural gas service, electricity, or electric
 20 service in a city or county where the sales price from the sale
 21 of natural gas or electric energy is subject to a franchise
 22 fee or user fee during the period the franchise or user fee
 23 is imposed. A local sales and services tax is applicable
 24 to transactions within those incorporated and unincorporated

25 areas of the county where it is imposed and, which transactions
26 include but are not limited to sales sourced pursuant to
27 section 423.15, 423.17, 423.19, or 423.20, to a location within
28 that city or unincorporated area of the county. The tax shall
29 be collected by all persons required to collect state sales
30 taxes. All cities contiguous to each other shall be treated
31 as part of one incorporated area and the tax would be imposed
32 in each of those contiguous cities only if the majority of
33 those voting in the total area covered by the contiguous cities
34 favors its imposition. In the case of a local sales and
35 services tax submitted to the registered voters of two or more

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1 contiguous counties as provided in section 423B.1, subsection
2 4, paragraph "c", all cities contiguous to each other shall be
3 treated as part of one incorporated area, even if the corporate
4 boundaries of one or more of the cities include areas of more
5 than one county, and the tax shall be imposed in each of those
6 contiguous cities only if a majority of those voting on the tax
7 in the total area covered by the contiguous cities favored its
8 imposition.

9 Sec. 226. Section 423B.6, subsection 2, paragraph b, Code
10 2018, is amended to read as follows:

11 b. The ordinance of a county board of supervisors imposing
12 a local sales and services tax shall adopt by reference the
13 applicable provisions of the appropriate sections of chapter
14 423. All powers and requirements of the director to administer
15 the state sales tax law and use tax law are applicable to the
16 administration of a local sales and services tax law and the
17 local excise tax, including but not limited to the provisions
18 of section 422.25, subsection 4, sections 422.30, 422.67,
19 and 422.68, section 422.69, subsection 1, sections 422.70
20 through 422.75, section 423.14, subsection 1 and subsection
21 2, paragraphs "b" through "e", and sections ~~423.14A~~, 423.15,
22 423.23, 423.24, 423.25, 423.31 through 423.35, 423.37 through
23 423.42, 423.46, and 423.47. Local officials shall confer
24 with the director of revenue for assistance in drafting the
25 ordinance imposing a local sales and services tax. A certified
26 copy of the ordinance shall be filed with the director as soon
27 as possible after passage.

28 Sec. 227. LEGISLATIVE INTENT. It is the intent of the
29 general assembly that the provisions of this division of this
30 Act amending the definition of "place of business" in section
31 423.1, subsection 37, and "sales" in section 423.1, subsection
32 50, enacting definitions of "sold at retail in the state" in
33 section 423.1, subsection 55A, and "subscription" in section
34 423.1, subsection 57A, and amending the enumerated service of
35 pay television in 423.2, subsection 6, paragraph "a1", are

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1 conforming amendments consistent with current state law, and
2 that the amendments do not change the application of current
3 law but instead reflect current law both before and after the
4 enactment of this division of this Act.

5 Sec. 228.RELATIONSHIP TO EXISTING LAW FOR TAXATION OF
6 SPECIFIED DIGITAL PRODUCTS. The provisions of this division of
7 this Act relating to the imposition of tax on the sale or use of
8 “specified digital products”, as defined in this division of
9 this Act, shall not be construed as affecting the taxability
10 or nontaxability under other provisions of existing law of
11 sales or uses occurring prior to the enactment of this division
12 of this Act of products meeting the definition of “specified
13 digital products”, as defined in this division of this Act.

14 Sec. 229.EFFECTIVE DATE. Except as otherwise provided
15 in this division of this Act, this division of this Act takes
16 effect January 1, 2019.

17 Sec. 230.EFFECTIVE DATE. The following, being deemed of
18 immediate importance, take effect upon enactment:

19 1. The sections of this division of this Act amending
20 section 423.1, subsections 37 and 50.

21 2. The sections of this division of this Act enacting
22 section 423.1, subsections 55A and 57A.

23 3. The section of this division of this Act amending section
24 423.3, subsection 47, paragraph “d”, subparagraph (4).

25 4. The provision amending the enumerated service of pay
26 television to include but not be limited to streaming video,
27 video on-demand, and pay-per-view, in the section of this
28 division of this Act amending section 423.2, subsection 6, by
29 designating paragraph “a1”.

30 5. The section of this division of this Act entitled
31 “legislative intent” which describes the intent of the general
32 assembly with respect to certain amendments in this division of
33 this Act to the definition of “place of business” in section
34 423.1, subsection 37, “sales” in section 423.1, subsection 50,
35 the enactment of a definition for “subscription” in section

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1 423.1, subsection 57A, and “sold at retail” in section 423.1,
2 subsection 55A, and amendments to the enumerated service of pay
3 television in section 423.2, subsection 6, paragraph “a1”.

4 Sec. 231.EFFECTIVE DATE. The following take effect July
5 1, 2018:

6 1. The section of this division of this Act amending section
7 423.2, subsection 1, paragraph “a”, subparagraph (1).

8 2. The provisions adding photography and retouching to the
9 list of enumerated services subject to the sales tax in the
10 section of this division of this Act amending section 423.2,
11 subsection 6, by enacting paragraphs “bo” and “bp”.

12 3. The section of this division of this Act enacting section

13 423.2, subsection 8, paragraph “d”.

14 4. The section of this division of this Act amending section

15 423.5, subsection 1, paragraph “a”.

16 DIVISION XII

17 APPROVAL AND IMPOSITION OF LOCAL OPTION SALES AND SERVICES TAX

18 Sec. 232. Section 423B.1, subsection 2, paragraph b,
19 subparagraph (3), Code 2018, is amended to read as follows:

20 (3) The tax once imposed shall continue to be imposed until
21 the county-imposed tax is ~~reduced or increased in rate or~~
22 ~~repealed, and then the city-imposed tax shall also be reduced~~
23 ~~or increased in rate or repealed in the same amount and be~~
24 effective on the same date.

25 Sec. 233. Section 423B.1, subsections 3, 4, and 5, Code
26 2018, are amended to read as follows:

27 3.a. ~~A local option tax shall be imposed only after an~~
28 ~~election at which~~ If a majority of those voting on the question
29 of imposition of a local option tax favors imposition and, the
30 local option tax shall then be imposed at the rate specified
31 on the ballot until repealed as provided in subsection 6,
32 paragraph “a” this chapter.

33 b. If the tax is a local vehicle tax imposed by a county,
34 it shall apply to all incorporated and unincorporated areas of
35 the county.

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1 c. (1) If the tax is a local sales and services tax
2 imposed by a county, it shall only apply to those incorporated
3 areas and the unincorporated area of that county in which a
4 majority of those voting in the area on the tax favors its
5 imposition. For purposes of the local sales and services tax,
6 all cities contiguous to each other shall be treated as part of
7 one incorporated area and the tax would be imposed in each of
8 those contiguous cities only if the majority of those voting
9 in the total area covered by the contiguous cities favors its
10 imposition. ~~In the case of a local sales and services tax~~
11 ~~submitted to the registered voters of two or more contiguous~~
12 ~~counties as provided in subsection 4, paragraph “c”, all cities~~
13 ~~contiguous to each other shall be treated as part of one~~
14 ~~incorporated area, even if the corporate boundaries of one or~~
15 ~~more of the cities include areas of more than one county, and~~
16 ~~the tax shall be imposed in each of those contiguous cities~~
17 ~~only if a majority of those voting on the tax in the total area~~
18 ~~covered by the contiguous cities favored its imposition. For~~
19 purposes of the local sales and services tax, a city is not
20 contiguous to another city if the only road access between the
21 two cities is through another state.

22 (2) The treatment of contiguous cities as one incorporated
23 area for the purpose of determining whether a majority of those
24 voting favors imposition does not apply to elections on the
25 question of imposition of a local sales and services tax in
26 all or a portion of a county that is a qualified county if the

27 election occurs on or after January 1, 2019. For purposes
 28 of this chapter, "qualified county" means a county with a
 29 population in excess of four hundred thousand, a county with
 30 a population of at least one hundred thirty thousand but not
 31 more than one hundred thirty-one thousand, or a county with a
 32 population of at least sixty thousand but not more than seventy
 33 thousand, according to the 2010 federal decennial census.
 34 4.a.(1) A The county board of supervisors shall direct
 35 within thirty days the county commissioner of elections to

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1 submit the question of imposition of a local vehicle tax or
 2 a local sales and services tax to the registered voters of
 3 the incorporated and unincorporated areas of the county upon
 4 receipt of a petition; requesting imposition of a local vehicle
 5 tax or a local sales and services tax, signed by eligible
 6 electors of the whole county equal in number to five percent of
 7 the persons in the whole county who voted at the last preceding
 8 general election. In the case of a local vehicle tax, the The
 9 petition requesting imposition shall specify the rate of tax
 10 and the classes, if any, that are to be exempt. If more than
 11 one valid petition is received, the earliest received petition
 12 shall be used.
 13 (2) The county board of supervisors shall direct within
 14 thirty days the county commissioner of elections to submit the
 15 question of imposition of a local sales and services tax to the
 16 registered voters of the incorporated and unincorporated areas
 17 of the county upon receipt of a petition requesting imposition
 18 of a local sales and services tax, signed by eligible electors
 19 of the whole county equal in number to five percent of the
 20 persons in the whole county who voted at the last preceding
 21 general election. If more than one valid petition is received,
 22 the earliest received petition shall be used.
 23 (3) In lieu of the petition requirement of subparagraph
 24 (2), the county board of supervisors for a county that is a
 25 qualified county shall direct within thirty days the county
 26 commissioner of elections to submit the question of imposition
 27 of a local sales and services tax to the registered voters of a
 28 city, or the portion thereof located in the county, or to the
 29 registered voters of the unincorporated area of the county upon
 30 receipt by the board of supervisors of a petition requesting
 31 imposition of a local sales and services tax, signed by
 32 eligible electors of the city, or the portion thereof located
 33 in the county, or eligible electors of the unincorporated area
 34 of the county, as applicable, equal in number to five percent
 35 of the persons in the city, or applicable portion thereof, or

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1 in the unincorporated area of the county who voted at the last
 2 preceding general election. If more than one valid petition

3 is received for a city or for the unincorporated area of the
 4 county, the earliest received petition shall be used. This
 5 subparagraph applies to petitions received on or after January
 6 1, 2019.

7 b.(1) The question of the imposition of a local sales
 8 and services tax shall be submitted to the registered voters
 9 of the incorporated and unincorporated areas of the county
 10 upon receipt by the county commissioner of elections of the
 11 motion or motions, requesting such submission, adopted by
 12 the governing body or bodies of the city or cities located
 13 within the county or of the county, for the unincorporated
 14 areas of the county, representing at least one half of the
 15 population of the county. Upon adoption of such motion, the
 16 governing body of the city or county, for the unincorporated
 17 areas, shall submit the motion to the county commissioner of
 18 elections and in the case of the governing body of the city
 19 shall notify the board of supervisors of the adoption of the
 20 motion. The county commissioner of elections shall keep a file
 21 on all the motions received and, upon reaching the population
 22 requirements, shall publish notice of the ballot proposition
 23 concerning the imposition of the local sales and services tax.
 24 A motion ceases to be valid at the time of the holding of the
 25 regular election for the election of members of the governing
 26 body ~~which~~ that adopted the motion. The county commissioner of
 27 elections shall eliminate from the file any motion that ceases
 28 to be valid.

29 (2) In lieu of the motion requirements of subparagraph (1),
 30 the question of the imposition of a local sales and services
 31 tax shall be submitted to the registered voters of a city
 32 located in a county that is a qualified county, or the portion
 33 thereof located in the county, or to the registered voters
 34 of the unincorporated area of a county that is a qualified
 35 county upon receipt by the county commissioner of elections of

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1 a motion requesting such submission, adopted by the governing
 2 body of the city or the county for the unincorporated area of
 3 the county, as applicable. Upon adoption of such motion, the
 4 governing body of the city or county for the unincorporated
 5 area shall submit the motion to the county commissioner of
 6 elections. The county commissioner of elections shall publish
 7 notice of the ballot proposition concerning the imposition of
 8 the local sales and services tax. This subparagraph applies to
 9 motions received by the county commissioner of elections on or
 10 after January 1, 2019.

11 (3) The ~~manner~~ methods provided under this paragraph for the
 12 submission of the question of imposition of a local sales and
 13 services tax is an ~~alternative~~ are alternatives to the ~~manner~~
 14 methods provided in paragraph "a".

15 e. ~~Upon receipt of petitions or motions calling for the~~
 16 submission of the question of the imposition of a local sales

17 and services tax as described in paragraph "a" or "b", the
 18 boards of supervisors of two or more contiguous counties in
 19 which the question is to be submitted may enter into a joint
 20 agreement providing that for purposes of this chapter, a
 21 city whose corporate boundaries include areas of more than
 22 one county shall be treated as part of the county in which a
 23 majority of the residents of the city reside. In such event,
 24 the county commissioners of elections from each such county
 25 shall cooperate in the selection of a single date upon which
 26 the election shall be held, and for all purposes of this
 27 chapter relating to the imposition, repeal, change of use,
 28 or collection of the tax, such a city shall be deemed to be
 29 part of the county in which a majority of the residents of the
 30 city reside. A copy of the joint agreement shall be provided
 31 promptly to the director of revenue.

32 5.a. The county commissioner of elections shall submit
 33 the question of imposition of a local option tax at an election
 34 held on a date specified in section 39.2, subsection 4,
 35 paragraph "a" or "b", as applicable. The election shall not be

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1 held sooner than sixty days after publication of notice of the
 2 ballot proposition.
 3 b. The ballot proposition shall specify the type and rate of
 4 tax and, in the case of a vehicle tax, the classes that will be
 5 exempt and, in the case of a local sales and services tax, the
 6 date it will be imposed which date shall not be earlier than
 7 ninety days following the election. The ballot proposition
 8 shall also specify the approximate amount of local option tax
 9 revenues that will be used for property tax relief, subject to
 10 the requirement of section 423B.7, subsection 7, paragraph "b"
 11 and shall contain a statement as to the specific purpose or
 12 purposes for which the revenues shall otherwise be expended.
 13 If the county board of supervisors or governing body of the
 14 city, as applicable, decides under subsection 6 to specify a
 15 date on which the local option sales and services tax shall
 16 automatically be repealed, the date of the repeal shall also be
 17 specified on the ballot.
 18 c. The rate of the vehicle tax shall be in increments of one
 19 dollar per vehicle as set by the petition seeking to impose the
 20 tax.
 21 d. The rate of a local sales and services tax shall ~~not be~~
 22 ~~more than one percent as set by the governing body.~~
 23 e. The state commissioner of elections shall establish by
 24 rule the form for the ballot proposition which form shall be
 25 uniform throughout the state.
 26 Sec. 234. Section 423B.1, subsection 6, paragraph a,
 27 subparagraph (1), Code 2018, is amended by striking the
 28 subparagraph.
 29 Sec. 235. Section 423B.1, subsection 6, paragraph a,
 30 subparagraphs (2) and (3), Code 2018, are amended to read as

31 follows:

32 (2)(a) ~~The~~ A local option tax may be repealed or the
 33 rate ~~of the local vehicle tax~~ increased or decreased or the
 34 use ~~thereof of a local option tax~~ changed after an election at
 35 which a majority of those voting on the question of repeal or

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1 rate or use change ~~avored~~ avors the repeal or rate or use
 2 change.
 3 (b) The date on which the repeal, rate, or use change is
 4 to take effect shall not be earlier than ninety days following
 5 the election. The election at which the question of repeal
 6 or rate or use change is offered shall be called and held in
 7 the same manner and under the same conditions as provided in
 8 subsections 4 and 5 for the election on the imposition of the
 9 local option tax. However, in the case of a local sales and
 10 services tax where the tax has not been imposed countywide, the
 11 question of repeal or imposition ~~or rate~~ or use change shall
 12 be voted on only by the registered voters of the areas of the
 13 county where the tax has been imposed or has not been imposed,
 14 as appropriate.

15 (c) ~~However, the~~ The governing body of the ~~incorporated~~
 16 ~~area city~~ or unincorporated area where the local sales and
 17 services tax is imposed may, upon its own motion, request the
 18 county commissioner of elections to hold an election in the
 19 ~~incorporated city, or portion thereof located in the county,~~
 20 or unincorporated area, as appropriate, on the question of the
 21 change in use of local sales and services tax revenues. The
 22 election may be held at any time but not sooner than sixty days
 23 following publication of the ballot proposition. If a majority
 24 of those voting in the ~~incorporated city, or portion thereof~~
 25 located in the county, or unincorporated area on the change in
 26 use favors the change, the governing body of that area shall
 27 change the use to which the revenues shall be used. The ballot
 28 proposition shall list the present use of the revenues, the
 29 proposed use, and the date after which revenues received will
 30 be used for the new use.

31 (3) When submitting the question of the imposition of a
 32 local sales and services tax, the ~~county~~ board of supervisors
 33 or if the election is initiated under subsection 4, paragraph
 34 "a", subparagraph (3), or subsection 4, paragraph "b",
 35 subparagraph (2), the governing board of a city, may direct

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1 that the question contain a provision for the repeal, without
 2 election, of the local sales and services tax on a specific
 3 date, which date shall be as provided in section 423B.6,
 4 subsection 1.
 5 Sec. 236. Section 423B.1, subsection 7, paragraph b, Code
 6 2018, is amended to read as follows:

7 *b.* Costs of local option tax elections shall be apportioned
 8 among jurisdictions within the county voting on the question
 9 at the same election on a pro rata basis in proportion to the
 10 number of registered voters in each taxing jurisdiction voting
 11 on the question and the total number of registered voters in
 12 all of the taxing jurisdictions voting on the question.

13 Sec. 237. Section 423B.1, subsection 8, Code 2018, is
 14 amended by striking the subsection.

15 Sec. 238. Section 423B.1, subsections 9 and 10, Code 2018,
 16 are amended to read as follows:

17 9.a. In a county that has imposed a local option sales and
 18 services tax, the board of supervisors shall, notwithstanding
 19 any contrary provision of this chapter, repeal the local
 20 option sales and services tax in the unincorporated areas or
 21 in an incorporated city area in which the tax has been imposed
 22 upon adoption of ~~its~~ the board's own motion for repeal in the
 23 unincorporated areas or upon receipt of a motion adopted by
 24 the governing body of that incorporated city area requesting
 25 repeal. The board of supervisors shall repeal the local
 26 option sales and services tax effective on the ~~later of the~~
 27 ~~date of the adoption of the repeal motion or the earliest date~~
 28 specified in section 423B.6, subsection 1, following adoption
 29 of the motion. For purposes of this ~~subsection~~ paragraph,
 30 incorporated city area includes an incorporated city which is
 31 contiguous to another incorporated city.

32 b. If imposition of the local option sales and services tax
 33 is initiated under subsection 4, paragraph "a", subparagraph
 34 (3), or subsection 4, paragraph "b", subparagraph (2),
 35 notwithstanding any contrary provision of this chapter, the

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1 board of supervisors may repeal the local sales and services
 2 tax in a city, or portion thereof located in the county, upon
 3 receipt of a motion adopted by the governing board of the city
 4 requesting the repeal. The board of supervisors shall repeal
 5 the local sales and services tax effective on the earliest date
 6 specified in section 423B.6, subsection 1, following adoption
 7 of the motion.

8 10. Notwithstanding subsection 9 or any other contrary
 9 provision of this chapter, a local option sales and services
 10 tax shall not be repealed ~~or reduced in rate~~ if obligations are
 11 outstanding which are payable as provided in section 423B.9,
 12 unless funds sufficient to pay the principal, interest, and
 13 premium, if any, on the outstanding obligations at and prior
 14 to maturity have been properly set aside and pledged for that
 15 purpose.

16 Sec. 239. Section 423B.5, subsections 1 and 4, Code 2018,
 17 are amended to read as follows:

18 1. A local sales and services tax ~~at the rate of not more~~
 19 ~~than one percent~~ may be imposed by a county on the sales price
 20 taxed by the state under chapter 423, subchapter II. A local

21 sales and services tax shall be imposed on the same basis as
22 the state sales and services tax or in the case of the use of
23 natural gas, natural gas service, electricity, or electric
24 service on the same basis as the state use tax and shall not
25 be imposed on the sale of any property or on any service not
26 taxed by the state, except the tax shall not be imposed on
27 the sales price from the sale of motor fuel or special fuel
28 as defined in chapter 452A which is consumed for highway use
29 or in watercraft or aircraft if the fuel tax is paid on the
30 transaction and a refund has not or will not be allowed,
31 on the sales price from the sale of equipment by the state
32 department of transportation, or on the sales price from the
33 sale or use of natural gas, natural gas service, electricity,
34 or electric service in a city or county where the sales price
35 from the sale of natural gas or electric energy is subject to

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1 a franchise fee or user fee during the period the franchise
2 or user fee is imposed. A local sales and services tax is
3 applicable to transactions within those incorporated cities
4 and unincorporated areas of the county where it is imposed and
5 shall be collected by all persons required to collect state
6 sales taxes. ~~All cities contiguous to each other shall be
7 treated as part of one incorporated area and the tax would be
8 imposed in each of those contiguous cities only if the majority
9 of those voting in the total area covered by the contiguous
10 cities favors its imposition. In the case of a local sales and
11 services tax submitted to the registered voters of two or more
12 contiguous counties as provided in section 423B.1, subsection
13 4, paragraph "c", all cities contiguous to each other shall be
14 treated as part of one incorporated area, even if the corporate
15 boundaries of one or more of the cities include areas of more
16 than one county, and the tax shall be imposed in each of those
17 contiguous cities only if a majority of those voting on the
18 tax in the total area covered by the contiguous cities favored
19 its imposition. However, a local sales and services tax is
20 not applicable to transactions sourced under chapter 423 to a
21 place of business, as defined in section 423.1, of a retailer
22 if such place of business is located in part within a city or
23 unincorporated area of the county where the tax is not imposed.
24 4. If a local sales and services tax is imposed by a county
25 pursuant to this chapter, a local excise tax at the same rate
26 shall be imposed by the county on the purchase price of natural
27 gas, natural gas service, electricity, or electric service
28 subject to tax under chapter 423, subchapter III, and not
29 exempted from tax by any provision of chapter 423, subchapter
30 III. The local excise tax is applicable only to the use of
31 natural gas, natural gas service, electricity, or electric
32 service within those incorporated cities and unincorporated
33 areas of the county where it is imposed and, except as
34 otherwise provided in this chapter, shall be collected and~~

35 administered in the same manner as the local sales and services

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1 tax. For purposes of this chapter, “*local sales and services*
 2 *tax*” shall also include the local excise tax.
 3 Sec. 240. Section 423B.6, subsection 1, paragraph c, Code
 4 2018, is amended to read as follows:
 5 c. The imposition of ~~or a rate change for~~ a local sales and
 6 services tax shall not be applied to purchases from a printed
 7 catalog wherein a purchaser computes the local tax based on
 8 rates published in the catalog unless a minimum of one hundred
 9 twenty days’ notice of the imposition ~~or rate change~~ has been
 10 given to the seller from the catalog and the first day of a
 11 calendar quarter has occurred on or after the one hundred
 12 twentieth day.
 13 Sec. 241. Section 423B.7, subsection 1, Code 2018, is
 14 amended to read as follows:
 15 1.a. Except as provided in ~~paragraph~~ paragraphs “b” and
 16 “c”, the director shall credit the local sales and services
 17 tax receipts and interest and penalties from a county-imposed
 18 tax to the county’s account in the local sales and services
 19 tax fund ~~and from a city-imposed tax under section 423B.1,~~
 20 ~~subsection 2, to the city’s account in the local sales~~
 21 ~~and services tax fund for the county in which the tax was~~
 22 collected. If the director is unable to determine from which
 23 county any of the receipts were collected, those receipts shall
 24 be allocated among the possible counties based on allocation
 25 rules adopted by the director.
 26 b. ~~Notwithstanding paragraph “a”, the~~ The director shall
 27 credit the designated amount of the increase in local sales
 28 and services tax receipts, as computed in section 423B.10,
 29 collected in an urban renewal area of an eligible city that has
 30 adopted an ordinance pursuant to section 423B.10, subsection
 31 2, into a special city account in the local sales and services
 32 tax fund.
 33 c. The director shall credit the local sales and services
 34 tax receipts and interest and penalties from a city-imposed tax
 35 under section 423B.1, subsection 2, to the city’s account in

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1 the local sales and services tax fund.
 2 Sec. 242. Section 423B.7, subsection 7, Code 2018, is
 3 amended to read as follows:
 4 7.a. ~~Local~~ Subject to the requirement of paragraph “b”,
 5 local sales and services tax moneys received by a city or
 6 county may be expended for any lawful purpose of the city or
 7 county.
 8 b. Each city located in whole or in part in a qualified
 9 county and each qualified county for the unincorporated area
 10 for which the imposition of the local sales and services tax

11 in the city or portion thereof or the unincorporated area,
 12 as applicable, was approved at election on or after January
 13 1, 2019, shall use not less than fifty percent of the moneys
 14 received from the qualified county's account in the local sales
 15 and services tax fund for property tax relief.

16 Sec. 243. Section 423B.8, subsection 1, paragraph a, Code
 17 2018, is amended to read as follows:

18 a. The goods, wares, or merchandise are incorporated into
 19 an improvement to real estate in fulfillment of a written
 20 contract fully executed prior to the date of the imposition ~~or~~
 21 ~~increase in rate~~ of a local sales and services tax under this
 22 chapter. The refund shall not apply to equipment transferred
 23 in fulfillment of a mixed construction contract.

24 Sec. 244. IMPLEMENTATION. This division of this Act shall
 25 not affect the imposition of local option taxes in effect on
 26 the effective date of this division of this Act and such taxes
 27 shall continue to be imposed until their repeal pursuant to
 28 chapter 423B. The law regarding repeal in effect at the time
 29 of the repeal governs the repeal of the local option taxes.

30 Sec. 245. EFFECTIVE DATE. This division of this Act takes
 31 effect January 1, 2019.

32 DIVISION XIII

33 HOTEL AND MOTEL EXCISE TAX AND AUTOMOBILE RENTAL EXCISE TAX
 34 CHANGES

35 Sec. 246. Section 423A.2, subsection 1, Code 2018, is

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1 amended to read as follows:

2 1. For the purposes of this chapter, unless the context
 3 otherwise requires:

4 a. "Affiliate" means the same as defined in section 423.1.

5 ~~a.~~ b. "Department" means the department of revenue.

6 b. "Lessor" means any person engaged in the business of
 7 renting lodging to users.

8 c. "Facilitate" or "facilitation" includes brokering,
 9 coordinating, or in any way arranging for the rental of lodging
 10 by users.

11 d. "Facilitation fee" means any consideration, by whatever
 12 name called, that a lodging facilitator or lodging platform
 13 charges to a user for facilitating the user's rental of
 14 lodging. "Facilitation fee" does not include any commission
 15 a lodging provider pays to a lodging facilitator or a lodging
 16 platform for facilitating the rental of lodging.

17 ~~e.~~ e. "Lodging" means rooms, apartments, or sleeping
 18 quarters in a hotel, motel, inn, public lodging house, rooming
 19 house, cabin, apartment, residential property, or manufactured
 20 or mobile home which is tangible personal property, or in a
 21 tourist court, or in any place where sleeping accommodations
 22 are furnished to transient guests for rent, whether with or
 23 without meals. Lodging does not include conference, meeting,
 24 or banquet rooms that are not used for or offered as part of

25 sleeping accommodations.
 26 f. “Lodging facilitator” means a person or any affiliate of
 27 a person, other than a lodging provider or a lodging platform,
 28 that facilitates the renting of lodging and collects or
 29 processes the sales price charged to the user.
 30 g. “Lodging platform” means a person or any affiliate of
 31 a person, other than a lodging provider, that facilitates the
 32 renting of lodging by doing all of the following:
 33 (1) The person or an affiliate of the person owns, operates,
 34 or controls a lodging marketplace that allows a lodging
 35 provider who is not an affiliate of the person to offer or

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1 list lodging for rent on the marketplace. For purposes of
 2 this subparagraph, it is immaterial whether or not the lodging
 3 provider has a tax permit under this chapter or in what manner
 4 the lodging is classified for property tax or zoning purposes.
 5 (2) The person or an affiliate of the person collects or
 6 processes the sales price charged to the user.
 7 h. “Lodging provider” means any of the following:
 8 (1) A person or any affiliate of a person that owns,
 9 operates, or manages lodging and makes the lodging available
 10 for rent through the person or any affiliate, or through a
 11 lodging platform or a lodging facilitator.
 12 (2) A person or any affiliate of a person who possesses or
 13 acquires a right to or interest in any lodging with an intent
 14 to rent the lodging to another person through the person or
 15 any affiliate, or through a lodging platform or a lodging
 16 facilitator.
 17 ~~d. i.~~ “Person” means the same as the term is defined in
 18 section 423.1.
 19 ~~e. j.~~ “Renting”, “rental”, or “rent” means a transfer
 20 of use, possession, or control of lodging for a fixed or
 21 indefinite term for consideration and includes any kind of
 22 direct or indirect charge for such lodging or its use.
 23 ~~f. k.~~ “Sales price” means the all consideration charged
 24 for the renting and facilitation of renting of lodging and
 25 means the same as the term is defined in section 423.1 before
 26 taxes, including but not limited to facilitation fees, cleaning
 27 fees, linen fees, towel fees, nonrefundable deposits, and any
 28 other direct or indirect charge made or consideration provided
 29 in connection with the renting and facilitation of renting of
 30 lodging.
 31 ~~g. l.~~ “User” means a person to whom lodging is rented.
 32 Sec. 247. Section 423A.3, Code 2018, is amended to read as
 33 follows:
 34 **423A.3 State-imposed hotel and motel tax.**
 35 A tax of five percent is imposed upon the sales price for

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1 the renting of any lodging if the ~~renting occurs~~ lodging is
 2 located in this state. The tax shall be collected by any
 3 ~~lessor of lodging from the user of that lodging and remitted~~
 4 as provided in section 423A.5A. ~~The lessor shall add the tax~~
 5 ~~to the sales price of the lodging, and the state imposed tax,~~
 6 ~~when collected, shall be stated as a distinct item, separate~~
 7 ~~and apart from the sales price of the lodging and the local tax~~
 8 ~~imposed, if any, under section 423A.4.~~

9 Sec. 248. Section 423A.4, Code 2018, is amended by adding
 10 the following new subsection:

11 NEW SUBSECTION. 5. The locally imposed hotel and motel tax
 12 shall be collected and remitted as provided in section 423A.5A.

13 Sec. 249. Section 423A.5, Code 2018, is amended to read as
 14 follows:

15 **423A.5 Exemptions.**

16 ~~1.~~ There are exempted from the provisions of this chapter
 17 and from the computation of any amount of tax imposed by
 18 ~~section 423A.3~~ this chapter all of the following:

19 ~~a.~~ 1. The sales price from the renting of lodging which is
 20 rented by the same person for a period of more than thirty-one
 21 consecutive days.

22 ~~b.~~ 2. The sales price from the renting of sleeping rooms
 23 in dormitories ~~and in memorial unions~~ at all universities and
 24 colleges located in the state of Iowa.

25 ~~2.~~ ~~There is exempted from the provisions of this chapter and~~
 26 ~~from the computation of any amount of tax imposed by section~~
 27 ~~423A.4 all of the following:~~

28 ~~a.~~ ~~The sales price from the renting of lodging or rooms~~
 29 ~~exempt under subsection 1.~~

30 ~~b.~~ 3. The sales price of lodging furnished to the guests of
 31 a religious institution if the property is exempt under section
 32 427.1, subsection 8, and the purpose of renting is to provide a
 33 place for a religious retreat or function and not a place for
 34 transient guests generally.

35 Sec. 250. NEW SECTION. **423A.5A Collection and remittance**

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1 **of hotel and motel tax.**

2 1. For purposes of this section:

3 *a. "Discount room charge"* means the amount a lodging
 4 provider charges a lodging facilitator for lodging, excluding
 5 any applicable tax.

6 *b. "Travel package"* means lodging bundled with one or more
 7 separate components such as air transportation, car rental, or
 8 similar items and charged for a single retail price.

9 2. This section shall govern the collection and remittance
 10 of all taxes imposed under this chapter.

11 3. Unless otherwise provided in this section, the
 12 state-imposed tax under section 423A.3 and any locally

13 imposed tax under section 423A.4 shall be collected by the
14 lodging provider from the user of that lodging and shall be
15 remitted to the department. The lodging provider shall add
16 the state-imposed tax to the sales price of the lodging and
17 the tax, when collected, shall be stated as a distinct item,
18 separate and apart from the sales price of the lodging and from
19 the locally imposed tax, if any. The lodging provider shall
20 add the locally imposed tax, if any, to the sales price of
21 the lodging and the tax, when collected, shall be stated as a
22 distinct item, separate and apart from the sales price of the
23 lodging and from the state-imposed tax.

24 4. If a transaction for the rental of lodging involves a
25 lodging facilitator, all of the following shall occur in the
26 order prescribed:

27 a. The lodging facilitator shall collect the taxes imposed
28 under this chapter on any sales price that the user pays to the
29 lodging facilitator in the same manner as a lodging provider
30 under subsection 3.

31 b.(1) Unless otherwise required by rule or order of the
32 department, the lodging facilitator shall remit to the lodging
33 provider that portion of the taxes collected on the sales price
34 that represents the discount room charge.

35 (2) No assessment shall be made against a lodging

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1 facilitator for tax due on a discount room charge if the
2 lodging facilitator collected the tax and remitted it to a
3 lodging provider that has a valid tax permit required under
4 this chapter. This subparagraph shall not apply if the lodging
5 facilitator and lodging provider are affiliates, or if the
6 department requires the lodging facilitator to remit taxes
7 collected on that portion of the sales price that represents
8 the discount room charge directly to the department.

9 c. The lodging facilitator shall remit any remaining tax it
10 collected to the department.

11 d.(1) The lodging provider shall collect and remit to the
12 department any taxes the lodging facilitator remitted to the
13 lodging provider, and shall collect and remit to the department
14 any taxes due on any amount of sales price the user paid to the
15 lodging provider.

16 (2) No assessment shall be made against a lodging provider
17 for any tax due on a discount room charge that was not remitted
18 to the lodging provider by a lodging facilitator. This
19 subparagraph shall not apply if the lodging provider and
20 lodging facilitator are affiliates.

21 e. Notwithstanding any other provision of this section
22 to the contrary, if a lodging facilitator and its affiliates
23 facilitate total rentals under this chapter and chapter
24 423C that are equal to or less than an aggregate amount of
25 sales price and rental price of ten thousand dollars for an
26 immediately preceding calendar year or a current calendar year,

27 or in ten or fewer separate transactions for an immediately
28 preceding calendar year or a current calendar year, the lodging
29 facilitator shall not be required to collect tax on the amount
30 of sales price that represents the lodging facilitator's
31 facilitation fee.
32 5. If a transaction for the rental of lodging involves a
33 lodging platform, the lodging platform shall collect and remit
34 the taxes imposed under this chapter in the same manner as a
35 lodging provider under subsection 3.

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1 6. If a transaction for the rental of lodging is part of a
2 travel package, the portion of the total price that represents
3 the sales price for the rental of lodging may be determined by
4 the person required under this section to collect the taxes
5 from the person's books and records that are kept in the
6 regular course of business including but not limited to books
7 and records kept for non-tax purposes.
8 Sec. 251. Section 423A.6, subsection 4, Code 2018, is
9 amended to read as follows:
10 4. Section 422.25, subsection 4, sections 422.30, 422.67,
11 and 422.68, section 422.69, subsection 1, sections 422.70,
12 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
13 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
14 423.35, 423.37 through 423.42, and 423.47, consistent with the
15 provisions of this chapter, apply with respect to the taxes
16 authorized under this chapter, in the same manner and with the
17 same effect as if the state and local hotel and motel taxes
18 were retail sales taxes within the meaning of those statutes.
19 Notwithstanding this subsection, the director shall provide
20 for quarterly filing of returns and for other than quarterly
21 filing of returns both as prescribed in section 423.31. The
22 director may require all persons who are engaged in the
23 business of deriving any sales price subject to tax under this
24 chapter to register with the department. All taxes collected
25 under this chapter by a retailer, lodging provider, lodging
26 facilitator, lodging platform, or any individual other person
27 are deemed to be held in trust for the state of Iowa and the
28 local jurisdictions imposing the taxes.
29 Sec. 252. Section 423C.2, Code 2018, is amended to read as
30 follows:
31 **423C.2 Definitions.**
32 For purposes of this chapter, unless the context otherwise
33 requires:
34 1. "Affiliate" means the same as defined in section 423.1.
35 ± 2. "Automobile" means a motor vehicle subject to

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1 registration in any state designed primarily for carrying
2 nine passengers or less, excluding motorcycles and motorized

3 bicycles.

4 3. "Automobile provider" means any of the following:

5 a. A person or any affiliate of a person that owns or
6 controls an automobile and makes the automobile available for
7 rent through the person or any affiliate, or through a rental
8 platform or rental facilitator.

9 b. A person or any affiliate of a person who possesses or
10 acquires a right or interest in any automobile with an intent
11 to rent the automobile to another person through the person
12 or any affiliate, or through a rental platform or a rental
13 facilitator.

14 ~~2.~~ 4. "Department" means the department of revenue.

15 ~~3.~~ "Lessor" means a person engaged in the business of
16 renting automobiles to users. "Lessor" includes a motor vehicle
17 dealer licensed pursuant to chapter 322 who rents automobiles
18 to users. For this purpose, the objective of making a profit
19 is not necessary to make the renting activity a business.

20 5. "Facilitate" or "facilitation" includes brokering,
21 coordinating, or in any way arranging for the rental of
22 automobiles by users.

23 6. "Facilitation fee" means any consideration, by whatever
24 name called, that a rental facilitator or a rental platform
25 charges to a user for facilitating the user's rental of an
26 automobile. "Facilitation fee" does not include any commission
27 an automobile provider pays to a rental facilitator or a rental
28 platform for facilitating the rental of an automobile.

29 ~~4.~~ 7. "Person" means person as defined in section 423.1.

30 ~~5.~~ 8. "Rental", "renting", or "rent" means a transfer
31 of the use, control, or possession or right to use, control,
32 or possession of an automobile to a user for a valuable
33 consideration for a period of sixty days or less.

34 9. "Rental facilitator" means a person or any affiliate of a
35 person, other than an automobile provider or a rental platform.

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1 that facilitates the renting of an automobile and collects or
2 processes the rental price charged to the user.

3 10. "Rental platform" means a person or any affiliate of a
4 person, other than an automobile provider, that facilitates the
5 renting of an automobile by doing all of the following:

6 a. The person or an affiliate of the person owns, operates,
7 or controls an automobile rental marketplace that allows an
8 automobile provider who is not an affiliate of the person to
9 offer or list an automobile for rent on the marketplace. For
10 purposes of this paragraph, it is immaterial whether or not
11 the automobile provider has a tax permit under this chapter or
12 chapter 423 or whether the automobile is owned by a natural
13 person or by a business entity.

14 b. The person or an affiliate of the person collects or
15 processes the rental price charged to the user.

16 ~~6.~~ 11. "Rental price" means the all consideration charged

17 for the renting and facilitation of renting of an automobile
 18 valued in money, and means the same as “sales price” as
 19 defined in section 423.1 before taxes, including but not
 20 limited to facilitation fees, reservation fees, services fees,
 21 nonrefundable deposits, and any other direct or indirect charge
 22 made or consideration provided in connection with the renting
 23 or facilitation of renting of an automobile.

24 ~~7. 12. “User” means a person to whom the possession or~~
 25 ~~the right to possession of an automobile is transferred for~~
 26 ~~a period of sixty days or less for a valuable consideration~~
 27 ~~which is paid by the user or by another person an automobile is~~
 28 ~~rented.~~

29 Sec. 253. Section 423C.3, Code 2018, is amended to read as
 30 follows:

31 **423C.3 Tax on rental of automobiles — collection and**
 32 **remittance of tax.**

33 1. For purposes of this section:

34 a. “Discount rental charge” means the amount an automobile
 35 provider charges to a rental facilitator for the rental of an

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1 automobile, excluding any applicable tax.

2 b. “Travel package” means an automobile rental bundled
 3 with one or more separate components such as lodging, air
 4 transportation, or similar items and charged for a single
 5 retail price.

6 ~~1. 2.~~ A tax of five percent is imposed upon the rental
 7 price of an automobile if the rental transaction is subject to
 8 the sales and services tax under chapter 423, subchapter II, or
 9 the use tax under chapter 423, subchapter III. The tax shall
 10 not be imposed on any rental transaction not taxable under the
 11 state sales and services tax, as provided in section 423.3, or
 12 the state use tax, as provided in section 423.6, on automobile
 13 rental receipts.

14 ~~2. 3. The lessor~~ This subsection shall govern the
 15 collection and remittance of the tax imposed under subsection
 16 2.

17 a. Unless otherwise provided in this subsection, the
 18 automobile provider shall collect the tax by adding the tax to
 19 the rental price of the automobile.

20 ~~3. The and the~~ tax, when collected, shall be stated as a
 21 distinct item separate and apart from the rental price of the
 22 automobile and the sales and services tax imposed under chapter
 23 423, subchapter II, or the use tax imposed under chapter 423,
 24 subchapter III.

25 b. If a transaction for the rental of an automobile involves
 26 a rental facilitator, all of the following shall occur in the
 27 order prescribed:

28 (1) The rental facilitator shall collect the tax on any
 29 rental price that the user pays to the rental facilitator in
 30 the same manner as an automobile provider under paragraph “a”.

31 (2)(a) Unless otherwise required by rule or order of
32 the department, the rental facilitator shall remit to the
33 automobile provider that portion of the tax collected on the
34 rental price that represents the discount rental charge.
35 (b) No assessment shall be made against a rental facilitator

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1 for tax due on a discount rental charge if the rental
2 facilitator collected the tax and remitted it to an automobile
3 provider that has a valid tax permit required under this
4 chapter or under chapter 423. This subparagraph division shall
5 not apply if the rental facilitator and automobile provider
6 are affiliates, or if the department requires the rental
7 facilitator to remit taxes collected on that portion of the
8 sales price that represents the discount rental charge directly
9 to the department.

10 (3) The rental facilitator shall remit any remaining tax it
11 collected to the department.

12 (4)(a) The automobile provider shall collect and remit
13 to the department any taxes the rental facilitator remitted to
14 the automobile provider, and shall collect and remit to the
15 department any taxes due on any amount of rental price the user
16 paid to the automobile provider.

17 (b) No assessment shall be made against an automobile
18 provider for any tax due on a discount rental charge that
19 was not remitted to the automobile provider by a rental
20 facilitator. This subparagraph division shall not apply if the
21 automobile provider and the rental facilitator are affiliates.

22 (5) Notwithstanding any other provision of this paragraph
23 to the contrary, if a rental facilitator and its affiliates
24 facilitate total rentals under this chapter and chapter
25 423A that are equal to or less than an aggregate amount of
26 rental price and sales price of ten thousand dollars for an
27 immediately preceding calendar year or a current calendar year,
28 or in ten or fewer separate transactions for an immediately
29 preceding calendar year or a current calendar year, the
30 rental facilitator shall not be required to collect tax on the
31 amount of sales price that represents the rental facilitator's
32 facilitation fee.

33 c.(1) If a transaction for the rental of an automobile
34 involves a rental platform, other than a rental platform
35 described in subparagraph (2), the rental platform shall

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1 collect and remit the tax imposed under this chapter in the
2 same manner as an automobile provider under paragraph "a".

3 (2) A rental platform is not required to collect and remit
4 the tax imposed under this chapter in the same manner as an
5 automobile provider under paragraph "a" if the rental platform
6 meets all of the following requirements:

7 (a) The only sales the rental platform and its affiliates
 8 facilitate that are subject to tax under chapter 423 are sales
 9 of a transportation service under section 423.2, subsection 6,
 10 paragraph “bf”, or section 423.5, subsection 1, paragraph “e”
 11 consisting of the rental of vehicles subject to registration
 12 which are registered for a gross weight of thirteen tons or
 13 less for a period of sixty days or less.

14 (b) The rental platform operates a peer-to-peer automobile
 15 sharing marketplace.

16 (3) For any rental transaction for which the rental platform
 17 is required to or elects to collect and remit the tax under
 18 this chapter, the rental platform shall also be liable for the
 19 collection and remittance of any sales or use tax due on that
 20 transaction under section 423.2, subsection 6, paragraph “bf”
 21 or section 423.5, subsection 1, paragraph “e”, notwithstanding
 22 any other provision to the contrary in chapter 423.

23 (4) For any rental transaction for which the rental platform
 24 is not required to collect and remit the tax under this chapter
 25 as provided under subparagraph (2), the automobile provider
 26 shall be solely liable for any amount of uncollected or
 27 unremitted tax under this chapter.

28 Sec. 254.LEGISLATIVE INTENT. It is the intent of the
 29 general assembly that the provision of this division of this
 30 Act amending the definition of “lodging” in section 423A.2,
 31 subsection 1, is a conforming amendment consistent with
 32 current state law, and that the amendment does not change the
 33 application of current law but instead reflects current law
 34 both before and after the enactment of this division of this
 35 Act.

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1 Sec. 255.EFFECTIVE DATE. Except as otherwise provided
 2 in this division of this Act, this division of this Act takes
 3 effect January 1, 2019.

4 Sec. 256.EFFECTIVE DATE. The following, being deemed of
 5 immediate importance, take effect upon enactment:

6 1. The provision amending the definition of “lodging” in the
 7 section of this division of this Act amending section 423A.2,
 8 subsection 1.

9 2. The section of this division of this Act entitled
 10 “legislative intent” which describes the intent of the general
 11 assembly with respect to the amendment in this division of
 12 this Act to the definition of “lodging” in section 423A.2,
 13 subsection 1.>

14 2. Title page, by striking lines 1 through 8 and inserting
 15 <An Act relating to state and local revenue and finance by
 16 modifying the individual and corporate income taxes, the
 17 franchise tax, tax credits, the sales and use taxes and
 18 local option sales tax, the hotel and motel excise tax, the
 19 automobile rental excise tax, the Iowa educational savings plan
 20 trust, providing for other properly related matters, making

21 penalties applicable, and including immediate and contingent
22 effective date and retroactive and other applicability
23 provisions.>>

VANDER LINDEN of Mahaska

H-8501

1 Amend Senate File 2418, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. By striking page 91, line 5, through page 94, line 3.
4 2. Page 112, after line 24 by inserting:
5 <DIVISION ____
6 FOSTER CARE AND ADOPTED CHILDREN
7 Sec. ____FOSTER CARE AND ADOPTED CHILDREN — ANNUAL MEDICAL
8 VISIT.
9 1. The department of human services shall adopt rules
10 pursuant to chapter 17A to require every child receiving foster
11 care to receive an annual visit to a medical professional.
12 2. The department shall submit a request to the United
13 States department of health and human services to allow the
14 department to adopt rules requiring a child adopted from foster
15 care and whose parents receive an adoption subsidy to receive
16 an annual visit to a medical professional.>
17 3. By renumbering as necessary.

HEATON of Henry

H-8502

1 Amend House File 2502 as follows:
2 1. Page 1, after line 30 by inserting:
3 <Sec. ____ 2017 Iowa Acts, chapter 170, section 15, is
4 amended to read as follows:
5 SEC. 15.CASH RESERVE FUND APPROPRIATION — FY 2018-2019.
6 There is appropriated from the general fund of the state to the
7 cash reserve fund for the fiscal year beginning July 1, 2018,
8 and ending June 30, 2019, the following amount:
9 \$111,100,000
10 113,100,000>
11 2. Page 2, after line 6 by inserting:
12 <Sec. ____TAXPAYERS TRUST FUND. On July 1, 2018, any
13 unencumbered and unobligated moneys in the taxpayers trust fund
14 created in section 8.57E are transferred to the general fund
15 of the state.>
16 3. Page 13, after line 22 by inserting:
17 <DIVISION ____
18 LAND ACQUISITION AND INVENTORY
19 Sec. ____LAND ACQUISITION AND INVENTORY.
20 1. By December 1, 2018, the department of natural resources
21 shall submit a report to the general assembly including all
22 financial assistance provided to private entities for the

23 acquisition of land and an inventory of all land managed or
24 owned on behalf of the state by the department.
25 2. The portion of the report regarding financial assistance
26 to private entities for land acquisition shall include the
27 name of the private entities, a description of the assistance
28 provided, the price of the tract, the date the assistance
29 was provided, the date of full loan repayment or cessation
30 of the linked deposit account, and the total amount of
31 outstanding loans and linked deposits associated with such land
32 acquisitions. This portion of the report shall also include
33 information regarding the land purchase including the location
34 and description of the land, a description of the conservation
35 benefits of the purchase, the name of the seller, the price

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1 paid, and the size of the tract. If the land was later
2 acquired by a governmental entity, the report shall include the
3 name of the governmental entity, the date of the subsequent
4 acquisition, the price paid, and the source of the funds.

5 3. The portion of the report regarding the land inventory
6 shall include a list of all properties owned by the state whose
7 purchase or donation was facilitated by the department and a
8 list of properties which are managed by the department, but
9 not owned by the state. For each owned tract of land, the
10 inventory shall include the location of the tract, the date
11 of acquisition or first management agreement, the name of the
12 seller or donor of the tract, the price paid for state-owned
13 land and the source of the funds; the owner of the tract if not
14 owned by the state, the size of the tract, the present use of
15 the tract including whether the property is open to the public,
16 and the identification of the government entity charged with
17 managing the tract. The inventory shall also identify the
18 location and size of all tracts which were conveyed to cities
19 or counties within the past twenty years after termination of
20 state ownership.

21 4. For the fiscal year beginning July 1, 2018, the
22 environmental protection commission shall not authorize a
23 contract or approve costs related to the purchase of land
24 which obligates moneys from the water pollution control works
25 revolving loan fund for financial assistance to acquire new
26 land under the general nonpoint source program set-aside.

27 DIVISION ____

28 IOWA GEOLOGICAL SURVEY

29 Sec. ____ 2018 Iowa Acts, House File 2491, section 21, if
30 enacted, is amended to read as follows:

31 ~~SEC. 53A.STATE UNIVERSITY OF IOWA GEOGRAPHICAL AND WATER~~
32 ~~GEOLOGICAL SURVEY.~~ There is appropriated from the environment
33 first fund created in section 8.57A to the state university of
34 Iowa for the fiscal year beginning July 1, 2018, and ending
35 June 30, 2019, the following amounts, or so much thereof as is

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1 necessary, to be used for the purposes designated:

2 1. OPERATIONS

3 For purposes of supporting the operations of the Iowa
4 ~~geological and water survey of the state~~ as created within the
5 state university of Iowa pursuant to section 456.1 as amended
6 by 2018 Iowa Acts, House File 2303, section 12, including
7 but not limited to providing analysis; data maintenance,
8 collection, and compilation; investigative programs; and
9 information for water supply development and protection:

10 \$ 200,000

11 2. WATER RESOURCE MANAGEMENT

12 For purposes of supporting the geological and water survey
13 in measuring, assessing, and evaluating the quantity of water
14 sources in this state and assisting the department of natural
15 resources in regulating water quantity as provided in chapter
16 455B, division III, part 4, pursuant to sections 455B.262B and
17 456.14, as enacted by this Act:

18 \$ 495,000

19 DIVISION ____

20 PODIATRY

21 Sec. ____ Section 147.139, subsections 3 and 4, Code 2018,
22 are amended to read as follows:

23 3. If the defendant is board-certified in a specialty, the
24 person is certified in the same or a substantially similar
25 specialty by a board recognized by the American board of
26 medical specialties, ~~or the American osteopathic association,~~
27 or the council on podiatric medical education.

28 4. a. If the defendant is a licensed physician or
29 osteopathic physician under chapter 148, the person is a
30 physician or osteopathic physician licensed in this state or
31 another state.

32 b. If the defendant is a licensed podiatric physician under
33 chapter 149, the person is a physician, osteopathic physician,
34 or a podiatric physician licensed in this state or another
35 state.

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1 DIVISION ____

2 CATTLE GUARDS

3 Sec. ____ Section 314.30, subsection 1, paragraph c, as
4 enacted by 2018 Iowa Acts, Senate File 449, section 1, is
5 amended to read as follows:

6 c. The landowner owns ~~the~~ property on both sides of the
7 street or highway and owns property on both sides of any access
8 to the street or highway.

9 Sec. ____ 2018 Iowa Acts, Senate File 449, is amended by
10 adding the following new section:

11 NEW SECTION. SEC. 4. INSTALLATION OF CATTLE GUARD —
12 SUBSEQUENT COUNTY ACTION. Any cattle guard installed pursuant

13 to this Act on or before April 25, 2018, that meets the
 14 requirements of this Act at the time of installation shall not
 15 be ordered uninstalled or found to be noncompliant with this
 16 Act as a result of any action taken after April 25, 2018, by
 17 the county with jurisdiction over the street or highway on
 18 which the cattle guard is installed to alter the area service
 19 classification of the street or highway or to otherwise alter
 20 the street or highway in such a way that the installation of
 21 the cattle guard no longer complies with this Act.

22 Sec. __.EFFECTIVE DATE. This division of this Act, being
 23 deemed of immediate importance, takes effect upon enactment.

24 Sec. __.RETROACTIVE APPLICABILITY. This division of this
 25 Act applies retroactively to April 17, 2018.

26 DIVISION __
 27 DRAMSHOP

28 Sec. __. Section 123.92, subsection 1, paragraph a, Code
 29 2018, as amended by 2018 Iowa Acts, Senate File 2169, section
 30 1, is amended to read as follows:

31 a. ~~Any~~ Subject to the limitation amount specified in
 32 paragraph "c", if applicable, any third party who is not the
 33 intoxicated person who caused the injury at issue and who
 34 is injured in person or property or means of support by an
 35 intoxicated person or resulting from the intoxication of a

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1 person, has a right of action for damages actually sustained,
 2 severally or jointly, ~~up to the amount specified in paragraph~~
 3 ~~"e",~~ against any licensee or permittee, whether or not the
 4 license or permit was issued by the division or by the
 5 licensing authority of any other state, who sold and served any
 6 beer, wine, or intoxicating liquor directly to the intoxicated
 7 person, provided that the person was visibly intoxicated at the
 8 time of the sale or service.

9 Sec. __.NEW SECTION. **505.33 Dramshop liability insurance**
 10 **evaluation.**

11 The division shall biennially conduct an evaluation
 12 concerning minimum coverage requirements of dramshop liability
 13 insurance. In conducting the evaluation, the division
 14 shall include a comparison of other states' minimum dramshop
 15 liability insurance coverage and any other relevant issues
 16 the division identifies. By January 31, 2019, and every two
 17 years thereafter, the division shall submit a report, including
 18 any findings and recommendations, to the general assembly as
 19 provided in chapter 7A.

20 Sec. __.REPEAL. 2018 Iowa Acts, Senate File 2169, section
 21 2, is repealed.

22 DIVISION __
 23 ALCOHOL

24 Sec. __. Section 123.30, subsection 3, paragraphs a and
 25 b, Code 2018, as amended by 2018 Iowa Acts, Senate File 2310,
 26 section 12, are amended to read as follows:

27 *a. Class "A".* A class "A" liquor control license may be
 28 issued to a club and shall authorize the holder to purchase
 29 alcoholic liquors in original unopened containers from class
 30 "E" liquor control licensees only, wine from class "A" wine
 31 permittees or class "B" wine permittees who also hold class "E"
 32 liquor control licenses only as provided in section 123.173
 33 and section 123.177, and to sell alcoholic beverages to bona
 34 fide members and their guests by the individual drink for
 35 consumption on the premises only.

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1 *b. Class "B".* A class "B" liquor control license may be
 2 issued to a hotel or motel and shall authorize the holder to
 3 purchase alcoholic liquors in original unopened containers from
 4 class "E" liquor control licensees only, wine from class "A"
 5 wine permittees or class "B" wine permittees who also hold
 6 class "E" liquor control licenses only as provided in section
 7 123.173 and section 123.177, and to sell alcoholic beverages to
 8 patrons by the individual drink for consumption on the premises
 9 only. However, beer may also be sold for consumption off the
 10 premises. Each license shall be effective throughout the
 11 premises described in the application.

12 *Sec. ____.* Section 123.30, subsection 3, paragraph c,
 13 subparagraph (1), Code 2018, as amended by 2018 Iowa Acts,
 14 Senate File 2310, section 12, is amended to read as follows:

15 (1) A class "C" liquor control license may be issued to
 16 a commercial establishment but must be issued in the name of
 17 the individuals who actually own the entire business and shall
 18 authorize the holder to purchase alcoholic liquors in original
 19 unopened containers from class "E" liquor control licensees
 20 only, wine from class "A" wine permittees or class "B" wine
 21 permittees who also hold class "E" liquor control licenses only
 22 as provided in section 123.173 and section 123.177, and to sell
 23 alcoholic beverages to patrons by the individual drink for
 24 consumption on the premises only. However, beer may also be
 25 sold for consumption off the premises. The holder of a class
 26 "C" liquor control license may also hold a special class "A"
 27 beer permit for the premises licensed under a class "C" liquor
 28 control license for the purpose of operating a brewpub pursuant
 29 to this chapter.

30 *Sec. ____.* Section 123.30, subsection 3, paragraph c,
 31 subparagraph (3), Code 2018, is amended to read as follows:

32 (3) A class "C" native distilled spirits liquor control
 33 license may be issued to a native distillery but shall be
 34 issued in the name of the individuals who actually own the
 35 business and shall only be issued to a native distillery

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1 which, combining all production facilities of the business,
 2 produces and manufactures not more than one hundred thousand

3 proof gallons of distilled spirits on an annual basis. The
4 license shall authorize the holder to sell native distilled
5 spirits manufactured on the premises of the native distillery
6 to patrons by the individual drink for consumption on the
7 premises. All native distilled spirits sold by a native
8 distillery for on-premises consumption shall be purchased
9 from a class "E" liquor control licensee in original unopened
10 containers.

11 Sec. ____ Section 123.30, subsection 3, paragraph d,
12 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
13 Senate File 2310, section 12, is amended to read as follows:

14 (2) A class "D" liquor control licensee who operates a
15 train or a watercraft intrastate only, or an excursion gambling
16 boat licensed under chapter 99F, shall purchase alcoholic
17 liquor in original unopened containers from a class "E" liquor
18 control licensee only, wine from a class "A" wine permittee or
19 a class "B" wine permittee who also holds a class "E" liquor
20 control license only as provided in section 123.173 and section
21 123.177, and beer from a class "A" beer permittee only.

22 Sec. ____ Section 123.30, subsection 3, paragraph e, Code
23 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
24 12, is amended to read as follows:

25 *e. Class "E".*

26 (1) A class "E" liquor control license may be issued and
27 shall authorize the holder to purchase alcoholic liquor in
28 original unopened containers from the division only and high
29 alcoholic content beer from a class "A" beer permittee only and
30 to sell the alcoholic liquor in original unopened containers
31 and high alcoholic content beer at retail to patrons for
32 consumption off the licensed premises and at wholesale to other
33 liquor control licensees, provided the holder has filed with
34 the division a basic permit issued by the alcohol and tobacco
35 tax and trade bureau of the United States department of the

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1 treasury. A holder of a class "E" liquor control license
2 may hold other retail liquor control licenses or retail wine
3 or beer permits, but the premises licensed under a class "E"
4 liquor control license shall be separate from other licensed
5 premises, though the separate premises may have a common
6 entrance. However, the holder of a class "E" liquor control
7 license may also hold a class "B" wine or class "C" beer permit
8 or both for the premises licensed under a class "E" liquor
9 control license.

10 (2) The division may issue a class "E" liquor control
11 license for premises covered by a liquor control license or
12 wine or beer permit for on-premises consumption, if under any
13 of the following circumstances:

14 (a) If the premises are in a county having a population
15 under nine thousand five hundred in which no other class "E"
16 liquor control license has been issued by the division, and no

17 other application for a class "E" liquor control license has
 18 been made within the previous twelve consecutive months.
 19 (b) If, notwithstanding any provision of this chapter to the
 20 contrary, the premises covered by a liquor control license is a
 21 grocery store that is at least five thousand square feet.

22 Sec. ____ Section 123.30, subsection 4, Code 2018, is
 23 amended to read as follows:

24 4. Notwithstanding any provision of this chapter to the
 25 contrary, a person holding a liquor control license to sell
 26 alcoholic beverages for consumption on the licensed premises
 27 may permit a customer to remove one unsealed bottle of wine
 28 for consumption off the premises if the customer has purchased
 29 and consumed a portion of the bottle of wine on the licensed
 30 premises. The licensee or the licensee's agent shall securely
 31 reseal such bottle in a bag designed so that it is visibly
 32 apparent that the resealed bottle of wine has not been tampered
 33 with and provide a dated receipt for the resealed bottle of
 34 wine to the customer. A wine bottle resealed pursuant to the
 35 requirements of this subsection is subject to the requirements

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1 of sections 321.284 and 321.284A. A person holding a liquor
 2 control license to sell alcoholic beverages for consumption on
 3 the licensed premises may permit a customer to carry an open
 4 container of wine from their licensed premises into another
 5 immediately adjacent licensed premises, temporary closed public
 6 right-of-way, or private property.

7 Sec. ____ Section 123.30, Code 2018, is amended by adding
 8 the following new subsection:

9 NEW SUBSECTION. 5. Notwithstanding any provision of this
 10 chapter to the contrary, a person holding a liquor control
 11 license to sell alcoholic beverages for consumption on the
 12 licensed premises may permit a customer to carry an open
 13 container of alcoholic liquor from their licensed premises
 14 to another immediately adjacent licensed premises, temporary
 15 closed public right-of-way, or private property.

16 Sec. ____ Section 123.131, subsection 2, unnumbered
 17 paragraph 1, Code 2018, is amended to read as follows:

18 Subject to the rules of the division, sales of beer for
 19 consumption off the premises made pursuant to this section
 20 may be made in a container other than the original container
 21 only if the container is carried into an immediately adjacent
 22 licensed or permitted premises, temporary closed public
 23 right-of-way, or private property, or if all of the following
 24 requirements are met:

25 DIVISION ____

26 SEXUALLY VIOLENT PREDATORS

27 Sec. ____ Section 229A.8, subsection 5, paragraph e,
 28 subparagraph (2), Code 2018, is amended to read as follows:

29 (2)(a) If the committed person shows by a preponderance
 30 of the evidence that a final hearing should be held on either

31 determination under subparagraph (1), subparagraph division (a)
 32 or (b), or both, the court shall set a final hearing within
 33 sixty days of the determination that a final hearing be held.
 34 (b) The committed person may waive the sixty-day final
 35 hearing requirement under subparagraph subdivision (a):

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1 however, the committed person or the attorney for the committed
 2 person may reassert a demand that the final hearing be held
 3 within sixty days from the date of filing the demand with the
 4 clerk of court.
 5 (c) The final hearing may be continued upon request of
 6 either party and a showing of good cause, or by the court
 7 on its own motion in the due administration of justice, and
 8 if the committed person is not substantially prejudiced. In
 9 determining what constitutes good cause, the court shall
 10 consider the length of the pretrial detention of the committed
 11 person.

12 Sec. __. Section 229A.15, Code 2018, is amended to read as
 13 follows:

14 **229A.15 Court records — sealed and opened by court order.**

15 1. Any Except as otherwise provided in this section, any
 16 psychological reports, drug and alcohol reports, treatment
 17 records, reports of any diagnostic center, medical records, or
 18 victim impact statements which have been submitted to the court
 19 or admitted into evidence under this chapter shall be part of
 20 the record but shall be sealed and opened only on order of the
 21 court.

22 2. The documents described in subsection 1 shall be
 23 available to the prosecuting attorney or attorney general, the
 24 committed person, and the attorney for the committed person
 25 without an order of the court.

26 DIVISION __
 27 EARNED TIME

28 Sec. __. Section 903A.2, subsection 1, paragraph a,
 29 subparagraph (2), Code 2018, is amended to read as follows:

30 (2) However, an inmate required to participate in a sex
 31 offender treatment program shall not be eligible for a any
 32 reduction of sentence ~~unless~~ until the inmate participates in
 33 and completes a sex offender treatment program established by
 34 the director.

35 Sec. __. Section 903A.2, subsection 1, paragraph b,

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1 subparagraph (2), Code 2018, is amended to read as follows:

2 (2) An inmate required to participate in a domestic abuse
 3 treatment program shall not be eligible for a any reduction of
 4 sentence ~~unless~~ until the inmate participates in and completes
 5 a domestic abuse treatment program established by the director.

6 Sec. __. Section 903A.3, subsection 1, Code 2018, is

7 amended to read as follows:

8 1. Upon finding that an inmate has violated an institutional
 9 rule, has failed to complete a sex offender or domestic abuse
 10 treatment program as specified in section 903A.2, or has
 11 had an action or appeal dismissed under section 610A.2, the
 12 independent administrative law judge may order forfeiture of
 13 any or all earned time accrued and not forfeited up to the
 14 date of the violation by the inmate and may order forfeiture
 15 of any or all earned time accrued and not forfeited up to
 16 the date the action or appeal is dismissed, unless the court
 17 entered such an order under section 610A.3. The independent
 18 administrative law judge has discretion within the guidelines
 19 established pursuant to section 903A.4, to determine the amount
 20 of time that should be forfeited based upon the severity of the
 21 violation. Prior violations by the inmate may be considered by
 22 the administrative law judge in the decision.

23 DIVISION ____

24 MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

25 Sec. ____ Section 507A.4, subsection 9, paragraph c,
 26 unnumbered paragraph 1, Code 2018, is amended to read as
 27 follows:

28 A multiple employer welfare arrangement that is recognized
 29 as tax-exempt under Internal Revenue Code section 501(c)(9)
 30 that meets all of the conditions of paragraph "a" shall not be
 31 considered any of the following:

32 Sec. ____ Section 513D.1, as enacted by 2018 Iowa Acts,
 33 Senate File 2349, section 5, is amended to read as follows:

34 **513D.1 Association health plans.**

35 The commissioner shall adopt rules that allow for the

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1 creation of association health plans that are consistent with
 2 the United States department of labor's regulations in 29
 3 C.F.R. pt. 2510. A multiple employer welfare arrangement that
 4 is recognized as tax-exempt under Internal Revenue Code section
 5 501(c)(9) and that is registered with the commissioner prior
 6 to January 1, 2018, shall not be considered an association
 7 health plan unless the multiple employer welfare arrangement
 8 affirmatively elects to be treated as an association health
 9 plan.

10 Sec. ____REPEAL. 2018 Iowa Acts, Senate File 2349, section
 11 7, is repealed.

12 DIVISION ____

13 SELF-PROMOTION — PUBLIC FUNDS

14 Sec. ____NEW SECTION. **68A.405A Self-promotion with**
 15 **taxpayer funds prohibited.**

16 1.a. Except as provided in sections 29C.3 and 29C.6, a
 17 statewide elected official or member of the general assembly
 18 shall not permit the expenditure of public moneys under the
 19 control of the statewide elected official or member of the
 20 general assembly, including but not limited to moneys held in a

21 private trust fund as defined by section 8.2, for the purpose
 22 of any paid advertisement or promotion bearing the written
 23 name, likeness, or voice of the statewide elected official or
 24 member of the general assembly distributed through any of the
 25 following means:
 26 (1) A paid direct mass mailing.
 27 (2) A paid radio advertisement or promotion.
 28 (3) A paid newspaper advertisement or promotion.
 29 (4) A paid television advertisement or promotion.
 30 (5) A paid internet advertisement or promotion.
 31 (6) A paid exhibit display at the Iowa state fair or a
 32 fairground or grounds as defined in section 174.1.
 33 b. Except as otherwise provided by law, paragraph “a”
 34 shall not apply to bona fide ministerial or ceremonial records
 35 or ordinary, common, and frequent constituent correspondence

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1 containing the name of the statewide elected official or member
 2 of the general assembly.
 3 2. A person who willfully violates this section shall be
 4 subject to a civil penalty of an amount up to the amount of
 5 moneys withdrawn from a public account or private trust fund
 6 as defined in section 8.2 used to fund the communication found
 7 to be in violation of this section by the board or, for members
 8 of the general assembly, by an appropriate legislative ethics
 9 committee. A penalty imposed pursuant to this section shall
 10 be paid by the candidate’s committee. Such penalty shall be
 11 determined and assessed by the board or, for a member of the
 12 general assembly, the appropriate legislative ethics committee,
 13 and paid into the account from which such moneys were
 14 withdrawn. Additional criminal or civil penalties available
 15 under section 68A.701 or established by the board pursuant to
 16 section 68B.32A may also be determined and assessed by the
 17 board for violations of this section. Nothing in this section
 18 shall prevent the imposition of any penalty or sanction for a
 19 violation of this section by a legislative ethics committee.

20 DIVISION ____

21 LEASE-PURCHASE CONTRACTS

22 Sec. ____ . 2018 Iowa Acts, House File 2253, section 13, is
 23 amended to read as follows:
 24 SEC. 13.APPLICABILITY. This Act applies to lease-purchase
 25 contracts entered into on or after the effective date of this
 26 Act. This Act does not apply to any lease-purchase contract
 27 that results from a request for proposals or request for
 28 qualifications issued by a city with a population of less
 29 than 21,000 according to the 2016 special census prior to the
 30 effective date of this Act.

31 Sec. ____ .RETROACTIVE APPLICABILITY. The following applies
 32 retroactively to April 4, 2018:

33 The section of this division of this Act amending 2018 Iowa
 34 Acts, House File 2253, section 13.

35 DIVISION ____

PAGE 14

1 CONSTRUCTION VEHICLES

2 Sec. ____ Section 321.463, subsection 9, Code 2018, is
3 amended to read as follows:

4 9. A vehicle or combination of vehicles transporting
5 materials or equipment on nonprimary highways to or from a
6 construction project or commercial plant site may operate
7 under the maximum gross weight table for primary highways in
8 subsection 6, paragraph "a", ~~if the route is approved by the~~
9 ~~appropriate local authority. Route approval is not required if~~
10 ~~the vehicle or combination of vehicles transporting materials~~
11 ~~or equipment to or from a construction project or commercial~~
12 ~~plant site complies with~~ or the maximum gross weight table for
13 noninterstate highways in subsection 6, paragraph "c". When
14 crossing a bridge, such a vehicle or combination of vehicles
15 shall comply with any weight restriction imposed for the
16 bridge pursuant to section 321.471 or 321.474, provided signs
17 that conform to the manual of uniform traffic-control devices
18 adopted by the department that give notice of the restriction
19 are posted as required under section 321.472 or 321.474, as
20 applicable.

21 DIVISION ____
22 LOCAL ORDINANCES

23 Sec. ____ Section 331.301, subsection 6, paragraph c,
24 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
25 to read as follows:

26 A county shall not adopt an ordinance, motion, resolution,
27 or amendment that sets standards or requirements regarding the
28 sale or marketing of consumer merchandise that are different
29 from, or in addition to, any ~~requirement established by state~~
30 law. For purposes of this paragraph:

31 Sec. ____ Section 364.3, subsection 3, paragraph c,
32 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
33 to read as follows:

34 A city shall not adopt an ordinance, motion, resolution, or
35 amendment that sets standards or requirements regarding the

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1 sale or marketing of consumer merchandise that are different
2 from, or in addition to, any ~~requirement established by state~~
3 law. For purposes of this paragraph:

4 DIVISION ____
5 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN
6 Sec. ____ NEW SECTION. 509A.13C Health care coverage for
7 surviving spouse and children of fire fighters and peace officers
8 killed in the line of duty.

9 1. For the purposes of this section, "*eligible peace officer*
10 *or fire fighter*" means a peace officer as defined in section

11 801.4, or a fire fighter, to which a line of duty death benefit
12 is payable pursuant to section 97A.6, subsection 16, section
13 97B.52, subsection 2, or section 411.6, subsection 15.

14 2.a. If a governing body, a county board of supervisors,
15 or a city council has procured accident or health care coverage
16 for its employees under this chapter, such coverage shall
17 permit continuation of existing coverage or reenrollment in
18 previously existing coverage for the surviving spouse and each
19 surviving child of an eligible peace officer or fire fighter.

20 b. A governing body, a county board of supervisors, or
21 a city council shall also permit continuation of existing
22 coverage for the surviving spouse and each surviving child
23 of a peace officer as defined in section 801.4, or a fire
24 fighter who dies and to which a line of duty death benefit is
25 reasonably expected to be payable pursuant to section 97A.6,
26 subsection 16, section 97B.52, subsection 2, or section 411.6,
27 subsection 15, until such time as the determination of whether
28 to provide a line of duty death benefit is made.

29 3. A governing body, a county board of supervisors, or
30 a city council providing accident or health care coverage
31 under this section shall not be required to pay for the cost
32 of the coverage. However, a governing body, a county board
33 of supervisors, or a city council may pay the full cost or a
34 portion of the cost of the coverage. If the full cost of the
35 coverage is not paid, a surviving spouse and each surviving

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1 child eligible for coverage under this section may elect to
2 continue accident or health care coverage by paying that
3 portion of the cost of the coverage not paid by the governing
4 body, county board of supervisors, or city council.

5 4. A governing body, a county board of supervisors, or a
6 city council shall notify the provider of accident or health
7 care coverage for its employees of a surviving spouse and
8 each surviving child to be provided coverage pursuant to the
9 requirements of this section.

10 5. This section shall not require continuation of coverage
11 if the surviving spouse or surviving child who would otherwise
12 be entitled to continuation of coverage under this section was,
13 through the surviving spouse's or surviving child's actions, a
14 substantial contributing factor to the death of the eligible
15 peace officer or fire fighter.

16 Sec. __.APPLICABILITY — HEALTH CARE COVERAGE FOR PRIOR
17 DEATHS. The surviving spouse and each surviving child of a
18 peace officer as defined in section 801.4, or a fire fighter
19 who died on or after January 1, 1985, but before July 1, 2000,
20 to which the requirements for providing a line of duty death
21 pursuant to section 97A.6, subsection 16, section 97B.52,
22 subsection 2, or section 411.6, subsection 15, would otherwise
23 have been established, and the surviving spouse and each
24 surviving child of an eligible peace officer or fire fighter

25 as defined in section 509A.13C, as enacted in this Act, may
 26 be entitled to coverage as provided in section 509A.13C upon
 27 written notification of the applicable governing body, county
 28 board of supervisors, or city council. Coverage provided under
 29 section 509A.13C pursuant to this section shall be for claims
 30 for services incurred on or after the date of reenrollment.

31 Sec. __.EFFECTIVE DATE. This division of this Act, being
 32 deemed of immediate importance, takes effect upon enactment.

33 Sec. __.RETROACTIVE APPLICABILITY. This division of this
 34 Act applies retroactively to a death occurring on or after
 35 January 1, 1985.

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1 DIVISION __

2 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED
 3 IN THE LINE OF DUTY

4 Sec. __. Section 261.87, subsection 1, Code 2018, is
 5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. *0d. "Eligible surviving-child student" means*

7 a qualified student who is under the age of twenty-six, or

8 under the age of thirty if the student is a veteran who is

9 eligible for benefits, or has exhausted the benefits, under the

10 federal Post-9/11 Veterans Educational Assistance Act of 2008;

11 who is not a convicted felon as defined in section 910.15; and

12 who meets any of the following criteria:

13 (1) Is the child of a peace officer, as defined in section

14 97A.1, who was killed in the line of duty as determined by

15 the board of trustees of the Iowa department of public safety

16 peace officers' retirement, accident, and disability system in

17 accordance with section 97A.6, subsection 16.

18 (2) Is the child of a police officer or a fire fighter, as

19 each is defined in section 411.1, who was killed in the line of

20 duty as determined by the statewide fire and police retirement

21 system in accordance with section 411.6, subsection 15.

22 (3) Is the child of a sheriff or deputy sheriff as each is

23 defined in section 97B.49C, who was killed in the line of duty

24 as determined by the Iowa public employees' retirement system

25 in accordance with section 97B.52, subsection 2.

26 (4) Is the child of a fire fighter or police officer

27 included under section 97B.49B, who was killed in the line of

28 duty as determined by the Iowa public employees' retirement

29 system in accordance with section 97B.52, subsection 2.

30 Sec. __. Section 261.87, subsection 3, Code 2018, is

31 amended to read as follows:

32 3. *Priority for scholarship awards.* Priority for

33 scholarships under this section shall be given to eligible

34 foster care students, then to eligible surviving-child

35 students, who meet the eligibility criteria under subsection

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1 2. Following distribution to students who meet the eligibility
 2 criteria under subsection 2, the commission may establish
 3 priority for awarding scholarships using any moneys that remain
 4 in the all Iowa opportunity scholarship fund.

5 DIVISION ___

6 CREDIT UNIONS

7 Sec. ___. Section 533.212, Code 2018, is amended by adding
 8 the following new subsection:
 9 NEW SUBSECTION. 4. A credit union organized in accordance
 10 with this chapter shall not include the name of any public

11 university located in the state in its name. For purposes of
 12 this subsection, "*public university located in the state*" shall
 13 mean the state university of Iowa, the Iowa state university of
 14 science and technology, and the university of northern Iowa.

15 Sec. ___. Section 533.329, subsection 2, paragraph b, Code
 16 2018, is amended to read as follows:

17 *b.* ~~The amount collected in each taxing district within~~
 18 ~~a city. The moneys and credits tax shall be collected by the~~
 19 department of revenue and shall be apportioned twenty percent
 20 to the county, thirty percent to the city general fund, and
 21 fifty percent to the general fund of the state, and the amount
 22 collected in each taxing district outside of cities shall be
 23 apportioned fifty percent to the county and fifty percent to
 24 the general fund of the state.

25 Sec. ___. Section 533.329, subsection 2, paragraph c, Code
 26 2018, is amended by striking the paragraph.

27 Sec. ___. Section 533.329, Code 2018, is amended by adding
 28 the following new subsection:

29 NEW SUBSECTION. 3. The department of revenue shall
 30 administer and enforce the provisions of this section.

31 Sec. ___. EFFECTIVE DATE. The following takes effect April
 32 30, 2019:

33 The section of this division of this Act amending section
 34 533.212.

35 DIVISION ___

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1 MILITARY INSTALLATION — SCHOOL ENROLLMENT

2 Sec. ___. Section 257.6, subsection 1, paragraph a, Code
 3 2018, is amended by adding the following new subparagraph:
 4 NEW SUBPARAGRAPH. (8) Pupils who are enrolled in public
 5 schools within the district under section 282.1, subsection
 6 3, in grades kindergarten through twelve and including
 7 prekindergarten pupils enrolled in special education programs.

8 Sec. ___. Section 282.1, subsection 2, Code 2018, is amended
 9 to read as follows:

10 2. For purposes of this section, "*resident*" means a child
 11 who ~~is~~ meets either of the following requirements:

12 *a.* Is physically present in a district, whose residence has

13 not been established in another district by operation of law,
14 and who meets any of the following conditions:

15 ~~a.~~ (1) Is in the district for the purpose of making a home
16 and not solely for school purposes.

17 ~~b.~~ (2) Meets the definitional requirements of the term
18 "homeless individual" under 42 U.S.C. §11302(a) and (c).

19 ~~c.~~ (3) Lives in a juvenile detention center or residential
20 facility in the district.

21 b. Is domiciled with the child's parent or guardian who is
22 on active duty in the military service of the United States and
23 is stationed at and resides or is domiciled within a federal
24 military installation located contiguous to a county in this
25 state.

26 Sec. ____ Section 282.1, Code 2018, is amended by adding the
27 following new subsections:

28 NEW SUBSECTION. 3. The parent or guardian of a child
29 who meets the requirements of subsection 2, paragraph "b",
30 paragraph may enroll the child in a school district in a county
31 in this state that is located contiguous to the out-of-state
32 federal military installation. Notwithstanding section 285.1
33 relating to transportation of resident pupils, the parent or
34 guardian is responsible for transporting the child without
35 reimbursement to and from a point on a regular school bus route

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1 of the district of enrollment.

2 NEW SUBSECTION. 4. Notwithstanding section 282.6, if a
3 parent or guardian enrolls a child in a school district in
4 accordance with subsection 3, the school district shall be free
5 of tuition for such child.

6 DIVISION ____
7 CRIMINALISTICS LABORATORY FUND

8 Sec. ____ Section 691.9, Code 2018, is amended to read as
9 follows:

10 **691.9 Criminalistics laboratory fund.**

11 A criminalistics laboratory fund is created as a separate
12 fund in the state treasury under the control of the department
13 of public safety. The fund shall consist of appropriations
14 made to the fund and transfers of interest, and earnings. All
15 moneys in the fund are appropriated to the department of public
16 safety for use by the department in criminalistics laboratory
17 equipment and supply purchasing, maintenance, depreciation, and
18 training. Any balance in the fund on June 30 of any fiscal
19 year shall not revert to any other fund of the state but shall
20 remain available for the purposes described in this section.

21 DIVISION ____
22 IOWA ENERGY CENTER

23 Sec. ____ Section 476.10A, subsection 1, paragraph c,
24 subparagraph (1), Code 2018, is amended to read as follows:

25 (1) ~~Eighty-five~~ Of eighty-five percent of the remittances
26 collected pursuant to this section ~~is, the following shall~~

27 occur:

28 (a) For the fiscal year beginning July 1, 2018, such
29 remittances are appropriated to the Iowa energy center created
30 in section 15.120.

31 (b) For the fiscal year beginning July 1, 2019, the first
32 one million two hundred eighty-thousand dollars of such
33 remittances shall be transferred to the general fund of the
34 state, and the remaining amount is appropriated to the Iowa
35 energy center created in section 15.120.

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1 (c) For the fiscal year beginning July 1, 2020, the
2 first two million nine hundred ten thousand dollars of such
3 remittances shall be transferred to the general fund of the
4 state, and the remaining amount is appropriated to the Iowa
5 energy center created in section 15.120.

6 (d) For the fiscal year beginning July 1, 2021, the first
7 three million five hundred thirty thousand dollars of such
8 remittances shall be transferred to the general fund of the
9 state, and the remaining amount is appropriated to the Iowa
10 energy center created in section 15.120.

11 DIVISION __

12 TRIBAL IDENTIFICATION CARD

13 Sec. __. Section 48A.7A, subsection 1, paragraph b,
14 subparagraph (1), Code 2018, is amended by adding the following
15 new subparagraph division:

16 NEW SUBPARAGRAPH DIVISION. (f) A tribal identification
17 card or other tribal enrollment document issued by a federally
18 recognized Indian tribe or nation, if the tribal identification
19 card or other tribal enrollment document is signed before the
20 card or document is presented to the election official.

21 Sec. __. Section 49.78, subsection 2, paragraph a, Code
22 2018, is amended by adding the following new subparagraph:

23 NEW SUBPARAGRAPH. (5) A current, valid tribal
24 identification card or other tribal enrollment document
25 issued by a federally recognized Indian tribe or nation, which
26 includes a photograph, signature, and valid expiration date.

27 DIVISION __

28 WIND ENERGY CONVERSION PROPERTY

29 Sec. __. Section 441.21, subsection 5, Code 2018, is
30 amended by adding the following new paragraph:

31 NEW PARAGRAPH. d. For valuations established for the
32 assessment year beginning January 1, 2019, and each assessment
33 year thereafter, the percentages of actual value at which
34 property is assessed, as determined under this subsection,
35 shall not be applied to the value of wind energy conversion

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1 property valued under section 427B.26 the construction of which
2 is approved by the Iowa utilities board on or after July 1,

3 2018.>

4 4. By renumbering, redesignating, and correcting internal
5 references as necessary.

HINSON of Linn

H-8503

1 Amend the amendment, H-8502, to House File 2502 as follows:

2 1. Page 3, line 12, by striking <geological and water
3 survey> and inserting <Iowa geological and water survey>

HINSON of Linn

H-8504

1 Amend House File 2502 as follows:

2 1. Page 13, after line 22 by inserting:

3 <DIVISION ____

4 REVOCATION OF DRIVER'S LICENSE FOR DRUG-RELATED CONVICTIONS

5 Sec. ____ Section 124.412, Code 2018, is amended to read as
6 follows:

7 **124.412 Notice of conviction.**

8 If a person enters a plea of guilty to, or forfeits bail
9 or collateral deposited to secure the person's appearance in
10 court, and such forfeiture is not vacated, or if a person
11 is found guilty upon an indictment or information alleging a
12 violation of this chapter, a copy of the minutes attached to
13 the indictment returned by the grand jury, or to the county
14 attorney's information, a copy of the judgment and sentence,
15 and a copy of the opinion of the judge if one is filed, shall
16 be sent by the clerk of the district court or the judge to
17 ~~the state department of transportation and to any state board~~
18 or officer by whom the convicted person has been licensed or
19 registered to practice the person's profession or carry on
20 the person's business. On the conviction of a person, the
21 court may suspend or revoke the license or registration of the
22 convicted defendant to practice the defendant's profession
23 or carry on the defendant's business. On the application of
24 a person whose license or registration has been suspended or
25 revoked, and upon proper showing and for good cause, the board
26 or officer may reinstate the license or registration.

27 Sec. ____ Section 321.212, subsection 1, paragraph d, Code
28 2018, is amended by striking the paragraph.

29 Sec. ____ Section 321.215, subsection 1, paragraph b, Code
30 2018, is amended to read as follows:

31 b. However, a temporary restricted license shall not be
32 issued to a person whose license is revoked pursuant to a court
33 order issued ~~under section 901.5, subsection 10, or under~~
34 section 321.209, subsections 1 through 5 or subsection 7; to a
35 juvenile whose license has been suspended or revoked pursuant

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1 to a dispositional order under section 232.52, subsection
2 2, paragraph "a", for a violation of chapter 124 or 453B or
3 section 126.3; to a juvenile whose license has been suspended
4 under section 321.213B; or to a person whose license has been
5 suspended pursuant to a court order under section 714.7D. A
6 temporary restricted license may be issued to a person whose
7 license is revoked under section 321.209, subsection 6, only
8 if the person has no previous drag racing convictions. A
9 person holding a temporary restricted license issued by the
10 department under this section shall not operate a motor vehicle
11 for pleasure.

12 Sec. ____. Section 321.215, subsection 2, unnumbered
13 paragraph 1, Code 2018, is amended to read as follows:

14 Upon conviction and the suspension or revocation of a
15 person's noncommercial driver's license under section 321.209,
16 subsection 5 or 6, or section 321.210, 321.210A, or 321.513;
17 ~~or upon revocation pursuant to a court order issued under~~
18 ~~section 901.5, subsection 10;~~ or upon the denial of issuance
19 of a noncommercial driver's license under section 321.560,
20 based solely on offenses enumerated in section 321.555,
21 subsection 1, paragraph "c", or section 321.555, subsection
22 2; or upon suspension or revocation of a juvenile's driver's
23 license pursuant to a dispositional order under section 232.52,
24 subsection 2, paragraph "a", for a violation of chapter 124
25 or 453B, or section 126.3; or upon suspension of a driver's
26 license pursuant to a court order under section 714.7D, the
27 person may apply to the department for a temporary restricted
28 license to operate a motor vehicle for the limited purpose or
29 purposes specified in subsection 1. The application may be
30 granted only if all of the following criteria are satisfied:

31 Sec. ____. Section 321.215, subsection 2, paragraph c, Code
32 2018, is amended to read as follows:

33 c. Proof of financial responsibility is established as
34 defined in chapter 321A. However, such proof is not required
35 if the driver's license was suspended under section 321.210A

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1 or 321.513 ~~or revoked pursuant to a court order issued under~~
2 ~~section 901.5, subsection 10.~~

3 Sec. ____. Section 321.218, subsection 1, Code 2018, is
4 amended to read as follows:

5 1. A person whose driver's license or operating privilege
6 has been denied, canceled, suspended, or revoked as provided
7 in this chapter or as provided in section 252J.8 ~~or section~~
8 ~~901.5, subsection 10,~~ and who operates a motor vehicle upon
9 the highways of this state while the license or privilege
10 is denied, canceled, suspended, or revoked, commits a
11 simple misdemeanor. In addition to any other penalties, the
12 punishment imposed for a violation of this subsection shall

13 include assessment of a fine of not less than two hundred fifty
14 dollars nor more than one thousand five hundred dollars.

15 Sec. ____ Section 321A.17, subsection 4, Code 2018, is
16 amended to read as follows:

17 4. An individual applying for a driver's license following a
18 period of suspension or revocation pursuant to a dispositional
19 order issued under section 232.52, subsection 2, paragraph
20 "a", or under section 321.180B, section 321.210, subsection
21 1, paragraph "a", subparagraph (4), or section 321.210A,
22 321.213A, 321.213B, 321.216B, or 321.513, following a period
23 of suspension or revocation under section 321.178 or 321.194,
24 or following a period of revocation pursuant to a court order
25 issued under ~~section 901.5, subsection 10, or~~ under section
26 321J.2A, is not required to maintain proof of financial
27 responsibility under this section.

28 Sec. ____ Section 901.5, subsection 10, Code 2018, is
29 amended by striking the subsection.

30 Sec. ____ REINSTATEMENT OF DRIVER'S LICENSE. A defendant's
31 driver's license suspended or revoked pursuant to section
32 901.5, subsection 10, prior to the effective date of this
33 division of this Act, shall be reinstated, if the defendant is
34 otherwise eligible for a driver's license.

35 Sec. ____ CONTINGENT EFFECTIVE DATE. This division of this

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1 Act takes effect on the date the governor submits to the United
2 States secretary of transportation a written certification
3 that the governor is opposed to the enforcement in this state
4 of a law described in 23 U.S.C. §159(a)(3)(A) and a written
5 certification that the general assembly has adopted a joint
6 resolution expressing its opposition to the same, in accordance
7 with 23 U.S.C. §159(a)(3)(B). The office of the governor shall
8 notify the Code editor upon submission of the certifications
9 described in this section.>

10 2. Title page, line 4, after <date,> by inserting
11 <contingent effective date,>

HINSON of Linn

H-8505

1 Amend the amendment, H-8481, to House File 2502 as follows:
2 1. By striking page 1, line 1, through page 13, line 26, and
3 inserting:

4 <Amend House File 2502 as follows:

5 1. By striking everything after the enacting clause and
6 inserting:

7 <DIVISION I

8 STANDING APPROPRIATIONS AND RELATED MATTERS

9 Section 1. 2017 Iowa Acts, chapter 170, is amended by adding
10 the following new section:

11 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY — FY 2018-2019.

12 1. The appropriations made pursuant to section 2.12 for the
13 expenses of the general assembly and legislative agencies for
14 the fiscal year beginning July 1, 2018, and ending June 30,
15 2019, are reduced by the following amount:

16 \$ 1,417,318

17 2. The budgeted amounts for the general assembly and
18 legislative agencies for the fiscal year beginning July 1,
19 2018, may be adjusted to reflect the unexpended budgeted
20 amounts from the previous fiscal year.

21 3. Annual membership dues for organizations, associations,
22 and conferences shall not be paid from moneys appropriated
23 pursuant to section 2.12, except reimbursement for travel
24 expenses may be paid to commissioners serving on the commission
25 of uniform state laws.

26 4. Costs for out-of-state travel and per diems for
27 out-of-state travel shall not be paid from moneys appropriated
28 pursuant to section 2.12.

29 Sec. 2. 2017 Iowa Acts, chapter 170, is amended by adding
30 the following new section:

31 NEW SECTION. SEC. 6A. INSTRUCTIONAL SUPPORT STATE AID — FY

32 2018-2019. In lieu of the appropriation provided in section
33 257.20, subsection 2, the appropriation for the fiscal year
34 beginning July 1, 2018, and ending June 30, 2019, for paying
35 instructional support state aid under section 257.20 for such

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1 fiscal years is zero.

2 Sec. 3. Section 257.35, Code 2018, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 12A. Notwithstanding subsection 1, and in
5 addition to the reduction applicable pursuant to subsection
6 2, the state aid for area education agencies and the portion
7 of the combined district cost calculated for these agencies
8 for the fiscal year beginning July 1, 2018, and ending June
9 30, 2019, shall be reduced by the department of management by
10 fifteen million dollars. The reduction for each area education
11 agency shall be prorated based on the reduction that the agency
12 received in the fiscal year beginning July 1, 2003.

13 Sec. 4.SALARY MODEL ADMINISTRATOR. The salary model
14 administrator shall work in conjunction with the legislative
15 services agency to maintain the state’s salary model used for
16 analyzing, comparing, and projecting state employee salary
17 and benefit information, including information relating to
18 employees of the state board of regents. The department of
19 revenue, the department of administrative services, the five
20 institutions under the jurisdiction of the state board of
21 regents, the judicial district departments of correctional
22 services, and the state department of transportation shall
23 provide salary data to the department of management and the
24 legislative services agency to operate the state’s salary

25 model. The format and frequency of provision of the salary
 26 data shall be determined by the department of management and
 27 the legislative services agency. The information shall be
 28 used in collective bargaining processes under chapter 20 and
 29 in calculating the funding needs contained within the annual
 30 salary adjustment legislation. A state employee organization
 31 as defined in section 20.3, subsection 4, may request
 32 information produced by the model, but the information provided
 33 shall not contain information attributable to individual
 34 employees.

35 DIVISION II

PAGE 3

1 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

2 Sec. 5. Section 331.424A, subsection 9, Code 2018, as
 3 amended by 2018 Iowa Acts, House File 2456, section 14, is
 4 amended to read as follows:

5 a. For the fiscal year beginning July 1, 2017, and each
 6 subsequent fiscal year, the county budgeted amount determined
 7 for each county shall be the amount necessary to meet the
 8 county's financial obligations for the payment of services
 9 provided under the regional service system management plan
 10 approved pursuant to section 331.393, not to exceed an amount
 11 equal to the product of the regional per capita expenditure
 12 target amount multiplied by the county's population, and, for
 13 fiscal years beginning on or after July 1, 2021, reduced by
 14 the amount of the county's cash flow reduction amount for the
 15 fiscal year calculated under subsection 4, if applicable.

16 b. If a county officially joins a different region, the
 17 county's budgeted amount shall be the amount necessary to meet
 18 the county's financial obligations for payment of services
 19 provided under the new region's regional service system
 20 management plan approved pursuant to section 331.393, not to
 21 exceed an amount equal to the product of the new region's
 22 regional per capita expenditure target amount multiplied by
 23 the county's population, and, for fiscal years beginning on
 24 or after July 1, 2021, reduced by the amount of the county's
 25 cash flow reduction amount for the fiscal year calculated under
 26 subsection 4, if applicable.

27 Sec. 6. 2017 Iowa Acts, chapter 170, section 13, is amended
 28 to read as follows:

29 SEC. 13.TRANSFER FROM CASH RESERVE FUND. Notwithstanding
 30 section 8.56, subsection 3 and subsection 4, paragraph "a" and
 31 section 8.57, subsection 1, paragraph "a", there is transferred
 32 from the cash reserve fund created in section 8.56 to the
 33 general fund of the state for the fiscal year beginning July 1,
 34 2016, and ending June 30, 2017, the following amount:

35 \$131,100,000

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1 Sec. 7. 2018 Iowa Acts, House File 2441, section 17,
2 subsection 1, is amended by striking the subsection.

3 Sec. 8. 2018 Iowa Acts, Senate File 2117, section 11,
4 subsection 1, is amended to read as follows:

5 1. There is appropriated from the Iowa economic emergency
6 fund created in section 8.55 to the general fund of the state
7 for the fiscal year beginning July 1, ~~2017~~ 2016, and ending
8 June 30, ~~2018~~ 2017, the following amount:

9 \$ 13,000,000

10 Sec. 9. 2018 Iowa Acts, Senate File 2117, section 12, is
11 amended to read as follows:

12 **SEC. 12.RETROACTIVE APPLICABILITY.** The following
13 provision or provisions of this division of this Act apply
14 retroactively to ~~September 28, 2017~~ June 30, 2017:

15 The section of this division of this Act appropriating
16 moneys from the Iowa economic emergency fund to the general
17 fund in lieu of a prior standing appropriation.

18 **Sec. 10.RETROACTIVE APPLICABILITY.** The following applies
19 retroactively to May 12, 2017:

20 The section of this division of this Act amending 2017 Iowa
21 Acts, chapter 170, section 13.

22 **Sec. 11.RETROACTIVE APPLICABILITY.** The following applies
23 retroactively to the effective date of section 256.9A, as
24 enacted by 2018 Iowa Acts, House File 2441, section 1:

25 The section of this division of this Act amending 2018 Iowa
26 Acts, House File 2441, section 17, subsection 1.

27 **Sec. 12.EFFECTIVE DATE.** This division of this Act, being
28 deemed of immediate importance, takes effect upon enactment.

29 **DIVISION III**

30 **CORRECTIVE PROVISIONS**

31 **Sec. 13.** Section 9A.102, subsection 1, Code 2017, as amended
32 by 2018 Iowa Acts, Senate File 385, section 2, is amended to
33 read as follows:

34 1. *“Agency contract”* means an agreement in which a student
35 athlete authorizes a person to negotiate or solicit on behalf

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1 of the athlete a professional sports services contract or an
2 endorsement contract.

3 **Sec. 14.** Section 68B.2C, as enacted by 2018 Iowa Acts,
4 Senate File 2323, section 7, is amended to read as follows:

5 **68B.2C Prohibited outside employment and activities — agents**
6 **of foreign principals.**

7 Officials and state employees shall not engage in any
8 outside employment or activity that requires the person to
9 register under the federal Foreign Agents Registration Act of
10 1938, as amended, 22 U.S.C. §611 et seq., ~~as amended~~.

11 **Sec. 15.** Section 84A.4, subsection 4, paragraph f, Code
12 2018, if enacted by 2018 Iowa Acts, Senate File 2353, section

13 6, is amended to read as follows:

14 *f. Proven and promising practices.* The local workforce
15 development board shall lead efforts in the local workforce
16 development area to ~~do all of the following:~~

17 (1) ~~Identify~~ identify and promote proven and promising
18 strategies and initiatives for meeting the needs of employers,
19 workers, and jobseekers, including individuals with a barrier
20 to employment, in the local workforce development system,
21 including providing physical and programmatic accessibility,
22 in accordance with 29 U.S.C. §3248, if applicable, applicable
23 provisions of chapter 216, and applicable provisions of the
24 Americans with Disabilities Act of 1990, codified at 42 U.S.C.
25 §12101 et seq., to the one-stop delivery system.

26 Sec. 16. Section 123.92, subsection 3, paragraph a, Code
27 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
28 47, is amended to read as follows:

29 a. Notwithstanding section 123.49, subsection 1, any
30 person who is injured in person or property or means of
31 support by an intoxicated person who is under legal age or
32 resulting from the intoxication of a person who is under
33 legal age, has a right of action for all damages actually
34 sustained, severally or jointly, against a person who is
35 not a licensee or permittee and who dispensed or gave any

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1 alcoholic beverage to the intoxicated underage person when the
2 nonlicensee or nonpermittee who dispensed or gave the alcoholic
3 beverage to the underage person knew or should have known the
4 underage person was intoxicated, or who dispensed or gave any
5 alcoholic beverage to the underage person to a point where the
6 nonlicensee or nonpermittee knew or should have known that the
7 underage person would become intoxicated.

8 Sec. 17. Section 135.16A, subsection 1, paragraph a, as
9 enacted by 2018 Iowa Acts, House File 2408, section 1, is
10 amended to read as follows:

11 a. "*Conventional eggs*" means eggs ~~others~~ other than
12 specialty eggs.

13 Sec. 18. Section 147C.1, subsection 7, paragraph e,
14 subparagraph (2), subparagraph division (h), as enacted by 2018
15 Iowa Acts, House File 2425, section 1, is amended to read as
16 follows:

17 (h) Disclosure of investigative records compiled for law
18 enforcement purposes ~~of any of the following.~~

19 Sec. 19. Section 148H.1, subsection 4, as enacted by 2018
20 Iowa Acts, Senate File 2228, section 5, is amended to read as
21 follows:

22 4. "*Genetic counseling intern*" means a student enrolled in
23 a genetic counseling program accredited by the accreditation
24 council for genetic counseling or its equivalent or successor
25 organization, or the American board of medical genetics and
26 genomics or its equivalent or successor organization.

27 Sec. 20. Section 256.7, subsection 21, paragraph b,
28 subparagraph (2), subparagraph division (d), as enacted by 2018
29 Iowa Acts, House File 2235, section 1, is amended to read as
30 follows:

31 (d) That the assessment be peer-reviewed by an independent,
32 third-party evaluator to determine that the assessment is
33 aligned with the Iowa core academic standards, provides
34 a measurement of student growth and student proficiency,
35 and meets the summative assessment requirements of the

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1 federal Every Student Succeeds Act, Pub. L. No. 114-95. The
2 assessment developed by the Iowa testing service program
3 within the university of Iowa college of education shall ~~make~~
4 ~~any necessary adjustments as determined by the peer review~~
5 ~~be adjusted as necessary~~ to meet the requirements of this
6 subparagraph (2) as determined by the peer review.

7 Sec. 21. Section 256.42, subsection 5, Code 2018, as amended
8 by 2018 Iowa Acts, Senate File 2131, section 1, is amended to
9 read as follows:

10 5. Under the initiative, a student must be enrolled in
11 a participating school district or accredited nonpublic
12 school or be receiving private instruction under chapter 299A
13 as described in subsection 1. For a student enrolled in a
14 participating school district or accredited nonpublic school,
15 the school district or school is responsible for recording
16 grades received for initiative coursework in a student's
17 permanent record, awarding high school credit for initiative
18 coursework, and issuing a high school ~~diplomas~~ diploma to a
19 student enrolled in the district or school who participates and
20 completes coursework under the initiative. Each participating
21 school shall identify a site coordinator to serve as a student
22 advocate and as a liaison between the initiative staff and
23 teachers and the school district or accredited nonpublic
24 school. The individual providing instruction to a student
25 under chapter 299A as described in subsection 1 shall receive
26 the student's score for completed initiative coursework.

27 Sec. 22. Section 261.131, subsection 1, paragraph d, Code
28 2018, as enacted by 2018 Iowa Acts, House File 2458, section
29 12, is amended to read as follows:

30 d. "*Eligible program*" means a program of study or an
31 academic major jointly approved by the commission and the
32 department of workforce development, in consultation with an
33 eligible institution, that leads to a credential aligned with a
34 high-demand job designated by the workforce development board
35 or a community college pursuant to section 84A.1B, subsection

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1 13A. If the board or a community college removes a high-demand
2 job from a list created under section 84A.1B, subsection 13A,

3 an eligible student who received a scholarship for a program
4 based on that high-demand job shall continue to receive the
5 scholarship until achieving a postsecondary credential, up to
6 an associate degree, as long as the student continues to meet
7 all other eligibility requirements.

8 Sec. 23. Section 280.13C, subsection 4, paragraph a, Code
9 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
10 is amended to read as follows:

11 a. The department of public health, Iowa high school
12 athletic association, and the Iowa girls high school athletic
13 union shall work together to distribute the guidelines of the
14 centers for disease control and prevention guidelines of the
15 United States department of health and human services and other
16 pertinent information to inform and educate coaches, students,
17 and the parents and guardians of students of the risks, signs,
18 symptoms, and behaviors consistent with a concussion or brain
19 injury, including the danger of continuing to participate in
20 extracurricular interscholastic activities after suffering a
21 concussion or brain injury and their responsibility to report
22 such signs, symptoms, and behaviors if they occur.

23 Sec. 24. Section 280.13C, subsection 8, paragraph a, Code
24 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
25 is amended to read as follows:

26 a. A school district or accredited nonpublic school that
27 adopts and follows the protocol required by this section and
28 provides an emergency medical care provider or a licensed
29 health care provider at a contest that is a contact or limited
30 contact activity as identified by the American academy of
31 pediatrics shall not be liable for any claim for injuries or
32 damages based upon the actions or inactions of the emergency
33 medical care provider or the licensed health care provider
34 present at the contest at the request of the school district
35 or accredited nonpublic school so long as the emergency

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1 medical care provider or the licensed health care provider
2 acts reasonably and in good faith and in the best interest of
3 the student athlete and without undue influence of the school
4 district or accredited nonpublic school or coaching staff
5 employed by the school district or accredited nonpublic school.
6 A school district or accredited nonpublic school shall not be
7 liable for any claim for injuries or damages if an emergency
8 medical care provider or a licensed health care provider who
9 was scheduled in accordance with a prearranged agreement with
10 the school district or accredited nonpublic school to be
11 present and available at a contest is not able to be present
12 and available due to documentable, unforeseen circumstances and
13 the school district or accredited nonpublic school otherwise
14 followed the protocol.

15 Sec. 25. Section 298.3, subsection 1, paragraph j, Code
16 2018, as amended by 2018 Iowa Acts, House File 2253, section 9,

17 is amended to read as follows:

18 *j.* The purchase of buildings or lease-purchase option
19 agreements for school buildings. However, a contract
20 for construction by a private party of property to be
21 lease-purchased by a public school corporation is a contract
22 for a public improvement as defined in section 26.2. If the
23 estimated cost of the property to be lease-purchased that is
24 renovated, repaired, or involves new construction ~~in excess~~
25 ~~of exceeds~~ the competitive bid threshold in section 26.3, the
26 board of directors shall comply with the competitive bidding
27 requirements of section 26.3.

28 Sec. 26. Section 321G.13, subsection 2, paragraph b,
29 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
30 Senate File 2231, section 1, is amended to read as follows:

31 (2) A person may operate or ride ~~on~~ a snowmobile with a
32 loaded pistol or revolver, whether concealed or not, if a the
33 person is operating or riding the snowmobile on land that is
34 not owned, possessed, or rented by the person, and the person's
35 conduct is otherwise lawful.

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1 Sec. 27. Section 321I.14, subsection 2, paragraph b,
2 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
3 Senate File 2231, section 3, is amended to read as follows:

4 (2) A person may operate or ride ~~on all~~ an all-terrain
5 vehicle with a loaded pistol or revolver, whether concealed or
6 not, if a the person is operating or riding the all-terrain
7 vehicle on land that is not owned, possessed, or rented by the
8 person, and the person's conduct is otherwise lawful.

9 Sec. 28. Section 321I.14, subsection 6, as enacted by 2018
10 Iowa Acts, Senate File 2231, section 4, is amended to read as
11 follows:

12 6. As used in this section, "*rented by the person*" includes
13 a person who does not necessarily rent the land but who
14 principally provides labor for the production of crops located
15 on agricultural land or for the production of livestock
16 principally located on agricultural land. The person must
17 personally provide such labor on a regular, continuous, and
18 substantial basis.

19 Sec. 29. Section 364.4, subsection 4, paragraph i, Code
20 2018, as amended by 2018 Iowa Acts, House File 2253, section
21 11, is amended to read as follows:

22 *i.* A contract for construction by a private party of
23 property to be lease-purchased by a city is a contract for a
24 public improvement under section 26.2, subsection 3. If the
25 estimated cost of the property to be lease-purchased that is
26 renovated, repaired, or involves new construction exceeds the
27 competitive bid threshold set in section 26.3, the city shall
28 comply with the competitive bidding requirements of section
29 26.3.

30 Sec. 30. Section 633.42, subsection 1, Code 2018, as amended

31 by 2018 Iowa Acts, Senate File 2098, section 3, is amended to
 32 read as follows:
 33 1. At any time after the issuance of letters of appointment,
 34 any interested person in the proceeding may file with the
 35 clerk a written request for notice of the time and place of

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1 all hearings in such proceeding for which notice is required
 2 by law, by rule of court, or by an order in such proceeding.
 3 The request for notice shall state the name of the requester,
 4 the name of the requester's attorney, if any, and the reason
 5 the requester is an interested person in the proceeding. The
 6 request for notice shall provide the requester's post office
 7 address, and, if available, the requester's electronic mail
 8 address and telephone number. The request for notice shall
 9 also provide the requester's attorney's post office address,
 10 electronic mail address, and telephone number. The clerk shall
 11 docket the request. Thereafter, unless otherwise ordered by
 12 the court, the fiduciary shall serve by ordinary or electronic
 13 mail a notice of each hearing upon such requester and the
 14 requester's attorney, if any.

15 Sec. 31. Section 633.418, Code 2018, as amended by 2018
 16 Iowa Acts, Senate File 2098, section 6, is amended to read as
 17 follows:

18 **633.418 Form and verification of claims — general**
 19 **requirements.**

20 No claim shall be allowed against an estate on application
 21 of the claimant unless it shall be in writing, filed with
 22 the clerk, stating the claimant's name, and address, and,
 23 if available, telephone number and electronic mail address,
 24 describing the nature and the amount thereof, if ascertainable,
 25 and accompanied by the affidavit of the claimant, or someone
 26 for the claimant, that the amount is justly due, or if not yet
 27 due, when it will or may become due, that no payments have been
 28 made thereon which are not credited, and that there are no
 29 offsets to the same, to the knowledge of the affiant, except as
 30 therein stated. If the claim is contingent, the nature of the
 31 contingency shall also be stated.

32 Sec. 32. Section 651.29, subsection 5, paragraphs b and c,
 33 as enacted by 2018 Iowa Acts, Senate File 2175, section 29, are
 34 amended to read as follows:

35 b. If none of the cotenants ~~has~~ have paid the entire price

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1 for the remaining interest in the heirs property, the court
 2 shall resolve the partition action under section 651.30 as if
 3 the interest of the cotenant that had requested partition by
 4 sale of the heirs property has not been purchased.

5 c. If more than one cotenant ~~have~~ has paid the entire price
 6 for the remaining interest in the heirs property, the court

7 shall reapportion the remaining interest among such cotenants
8 based on each cotenant's original fractional ownership of the
9 entire heirs property divided by the total original fractional
10 ownership of all cotenants that paid the entire price for
11 the remaining interest. The court shall promptly issue an
12 order reallocating all cotenants' interests, disburse the
13 amounts held by the court to the persons entitled to such
14 disbursements, and promptly refund any excess payments held by
15 the court to the appropriate persons.

16 Sec. 33. Section 655.6, subsection 1, as enacted by 2018
17 Iowa Acts, House File 2232, section 5, is amended to read as
18 follows:

19 1. The mortgagee established reasonable procedures to
20 achieve compliance with its obligations under section 655.3.

21 Sec. 34. Section 716.11, subsection 1, paragraph b, as
22 enacted by 2018 Iowa Acts, Senate File 2235, section 1, is
23 amended to read as follows:

24 b. A gas, oil, petroleum, refined petroleum product,
25 renewable fuel, or chemical critical generation, storage,
26 transportation, or delivery system.

27 Sec. 35. 2018 Iowa Acts, Senate File 2117, section 1,
28 paragraphs p and s, are amended to read as follows:

29 p. ~~Department of economic~~ Economic development authority
30 \$ 157,960

31 s. College student aid commission
32 \$ 94,172

33 Sec. 36. 2018 Iowa Acts, House File 2442, section 4, is
34 amended to read as follows:

35 SEC. 4.STATE MANDATE FUNDING SPECIFIED. In accordance

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1 with section 25B.2, subsection 3, the state cost of requiring
2 compliance with any state mandate included in ~~this division~~
3 of this Act shall be paid by a school district from state
4 school foundation aid received by the school district under
5 section 257.16. This specification of the payment of the state
6 cost shall be deemed to meet all of the state funding-related
7 requirements of section 25B.2, subsection 3, and no additional
8 state funding shall be necessary for the full implementation of
9 this Act by and enforcement of this Act against all affected
10 school districts.

11 Sec. 37.REPEAL. 2018 Iowa Acts, House File 2348, section
12 9, is repealed.

13 Sec. 38.REPEAL. 2018 Iowa Acts, House File 2457, sections
14 115 and 116 are repealed.

15 Sec. 39.EFFECTIVE DATE. The following, being deemed of
16 immediate importance, takes effect upon enactment:

17 The section of this division of this Act amending 2018 Iowa
18 Acts, Senate File 2117, section 1, paragraphs "p" and "s".

19 Sec. 40.RETROACTIVE APPLICABILITY. The following applies
20 retroactively to March 28, 2018:

21 The section of this division of this Act amending 2018 Iowa
 22 Acts, Senate File 2117, section 1, paragraphs "p" and "s".
 23 Sec. 41.APPLICABILITY. The following apply July 1, 2018,
 24 to probate filings made on or after that date:

- 25 1. The section of this division of this Act amending section
- 26 633.42.
- 27 2. The section of this division of this Act amending section
- 28 633.418.

29 DIVISION IV
 30 SEXUAL HARASSMENT

31 Sec. 42.NEW SECTION. 68A.702 Sexual harassment — payment
 32 of claims.

- 33 1. Any judgment awarded to a victim as a result of sexual
- 34 harassment, or any payment made to a victim as settlement of a
- 35 claim of sexual harassment, by a statewide elected official or

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- 1 member of the general assembly, or the partisan staff of such a
- 2 person, that occurs while such a person is engaged in conduct
- 3 for which that person was elected or hired or during a time
- 4 for which that person receives payment from the state of Iowa,
- 5 shall be paid out of the campaign account of such a person or by
- 6 the state party of such a person.

- 7 2. Any judgment awarded to a victim as a result of sexual
- 8 harassment, or any payment made to a victim as settlement of
- 9 a claim of sexual harassment, by a person appointed by the
- 10 governor, or the partisan staff of such a person, that occurs
- 11 while such a person is engaged in conduct for which that person
- 12 was appointed or hired or during a time for which that person
- 13 receives payment from the state of Iowa, shall be paid out of
- 14 the campaign account of the governor or by the state party of
- 15 the governor.

- 16 3. The state of Iowa shall seek reimbursement for any
- 17 payments made by the state of Iowa inconsistent with this
- 18 section, including those made before the effective date of this
- 19 Act.

20 Sec. 43.RETROACTIVE APPLICABILITY. This division of
 21 this Act applies retroactively to all judgments awarded
 22 to or settlements paid to a victim as a result of sexual
 23 harassment by a statewide elected official or member of the
 24 general assembly, or the partisan staff of such a person, or a
 25 gubernatorial appointee or the partisan staff of such a person.

26 DIVISION V
 27 HEALTH BENEFIT PLANS SPONSORED BY CERTAIN AGRICULTURAL
 28 ORGANIZATIONS

29 Sec. 44. Section 505.20, as enacted by 2018 Iowa Acts,
 30 Senate File 2349, section 1, is amended by adding the following
 31 new subsection:

32 NEW SUBSECTION. 4. A health benefit plan sponsored by
 33 a nonprofit agricultural organization for the nonprofit
 34 agricultural organization's members pursuant to this chapter

35 shall not deny, exclude, or limit benefits for a member based

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1 on a member's preexisting condition.

2 DIVISION VI

3 ASSOCIATION HEALTH PLANS

4 Sec. 45. Section 513D.1, as enacted by 2018 Iowa Acts,
5 Senate File 2349, section 5, is amended to read as follows:

6 **513D.1 Association health plans.**

7 The commissioner shall adopt rules that allow for the
8 creation of association health plans that are consistent with
9 the United States department of labor's regulations in 29
10 C.F.R. pt. 2510. An association health plan created pursuant
11 to this chapter shall not deny, exclude, or limit benefits for
12 a member based on a member's preexisting condition.

13 DIVISION VII

14 MEDICAL CANNABIS

15 Sec. 46. Section 124.204, subsection 4, paragraphs m and u,
16 Code 2018, are amended by striking the paragraphs.

17 Sec. 47. Section 124.204, subsection 7, Code 2018, is
18 amended by striking the subsection.

19 Sec. 48. Section 124.206, subsection 7, Code 2018, is
20 amended to read as follows:

21 7. *Hallucinogenic substances.* Unless specifically excepted
22 or unless listed in another schedule, any material, compound,
23 mixture, or preparation which contains any quantity of the
24 following substances, or, for purposes of paragraphs "a" and
25 "b", which contains any of its salts, isomers, or salts of
26 isomers whenever the existence of such salts, isomers, or salts
27 of isomers is possible within the specific chemical designation
28 (for purposes of this paragraph only, the term "isomer"
29 includes the optical, positional, and geometric isomers):

30 a. Marijuana when used for medicinal purposes pursuant to
31 rules of the board.

32 b. Tetrahydrocannabinols, meaning tetrahydrocannabinols
33 naturally contained in a plant of the genus cannabis (cannabis
34 plant) as well as synthetic equivalents of the substances
35 contained in the cannabis plant, or in the resinous extractives

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1 of such plant, and synthetic substances, derivatives, and their
2 isomers with similar chemical structure and pharmacological
3 activity to those substances contained in the plant, such as
4 the following:

5 (1) 1 cis or trans tetrahydrocannabinol, and their optical
6 isomers.

7 (2) 6 cis or trans tetrahydrocannabinol, and their optical
8 isomers.

9 (3) 3,4 cis or trans tetrahydrocannabinol, and their
10 optical isomers. (Since nomenclature of these substances

11 is not internationally standardized, compounds of these
12 structures, regardless of numerical designation of atomic
13 positions covered.)

14 ~~b. c.~~ Nabilone [another name for nabilone: (+) -
15 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-
16 hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one].

17 Sec. 49. Section 124.401, subsection 5, unnumbered
18 paragraph 3, Code 2018, is amended to read as follows:

19 A person may knowingly or intentionally recommend, possess,
20 use, dispense, deliver, transport, or administer ~~cannabidiol~~
21 medical cannabis if the recommendation, possession, use,
22 dispensing, delivery, transporting, or administering is in
23 accordance with the provisions of chapter ~~124D~~ 124E. For
24 purposes of this paragraph, ~~"cannabidiol"~~ "medical cannabis"
25 means the same as defined in section ~~124D-2~~ 124E.2.

26 Sec. 50. NEW SECTION. 124E.1 Short title.

27 This chapter shall be known and may be cited as the
28 *"Compassionate Use of Medical Cannabis Act"*.

29 Sec. 51. NEW SECTION. 124E.2 Definitions.

30 As used in this chapter:

31 1. *"Debilitating medical condition"* means any of the
32 following:

33 a. Cancer, if the underlying condition or treatment produces
34 one or more of the following:

35 (1) Intractable pain.

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1 (2) Nausea or severe vomiting.

2 (3) Cachexia or severe wasting.

3 b. Multiple sclerosis.

4 c. Epilepsy or seizure disorders.

5 d. AIDS or HIV as defined in section 141A.1.

6 e. Glaucoma.

7 f. Hepatitis C.

8 g. Crohn's disease or ulcerative colitis.

9 h. Amyotrophic lateral sclerosis.

10 i. Ehlers-Danlos syndrome.

11 j. Post-traumatic stress disorder.

12 k. Tourette's syndrome.

13 l. Any terminal illness, with a probable life expectancy of
14 under one year, if the illness or its treatment produces one or
15 more of the following:

16 (1) Intractable pain.

17 (2) Nausea or severe vomiting.

18 (3) Cachexia or severe wasting.

19 m. Intractable pain.

20 n. Parkinson's disease.

21 o. Muscular dystrophy.

22 p. Huntington's disease.

23 q. Alzheimer's disease.

- 24 r. Complex regional pain syndrome, type I and II.
25 s. Rheumatoid arthritis.
26 t. Polyarteritis nodosa.
27 u. Any other chronic or debilitating disease or medical
28 condition or its medical treatment approved by the department
29 pursuant to rule.
30 2. "Department" means the department of public health.
31 3. "Disqualifying felony offense" means a violation under
32 federal or state law of a felony offense, which has as an
33 element the possession, use, or distribution of a controlled
34 substance, as defined in 21 U.S.C. §802(6).
35 4. "Enclosed, locked facility" means a closet, room,

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- 1 greenhouse, or other enclosed area equipped with locks or
2 other security devices that permit access only by authorized
3 personnel.
4 5. "Health care practitioner" means an individual licensed
5 under chapter 148 to practice medicine and surgery or
6 osteopathic medicine and surgery or an individual licensed to
7 practice medicine in any other state who provides specialty
8 care for an Iowa resident for one or more of the debilitating
9 medical conditions provided in this chapter.
10 6. "Intractable pain" means a pain in which the cause of the
11 pain cannot be removed or otherwise treated with the consent
12 of the patient and which, in the generally accepted course of
13 medical practice, no relief or cure of the cause of the pain
14 is possible, or none has been found after reasonable efforts.
15 Reasonable efforts for relieving or curing the cause of the
16 pain may be determined on the basis of but are not limited to
17 any of the following:
18 a. When treating a nonterminally ill patient for intractable
19 pain, evaluation by the attending physician and one or more
20 physicians specializing in pain medicine or the treatment of
21 the area, system, or organ of the body perceived as the source
22 of the pain.
23 b. When treating a terminally ill patient, evaluation by
24 the attending physician who does so in accordance with the
25 level of care, skill, and treatment that would be recognized
26 by a reasonably prudent physician under similar conditions and
27 circumstances.
28 7. "Medical cannabis" means any species of the genus
29 cannabis plant, or any mixture or preparation of them,
30 including whole plant extracts and resins.
31 8. "Medical cannabis dispensary" means an entity licensed
32 under section 124E.8 that acquires medical cannabis from a
33 medical cannabis manufacturer in this state for the purpose
34 of dispensing medical cannabis in this state pursuant to this
35 chapter.

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1 9. “*Medical cannabis manufacturer*” means an entity licensed
 2 under section 124E.6 to manufacture and to possess, cultivate,
 3 transport, or supply medical cannabis pursuant to the
 4 provisions of this chapter.

5 10. “*Primary caregiver*” means a person, at least eighteen
 6 years of age, who has been designated by a patient’s health
 7 care practitioner or a person having custody of a patient, as
 8 a necessary caretaker taking responsibility for managing the
 9 well-being of the patient with respect to the use of medical
 10 cannabis pursuant to the provisions of this chapter.

11 11. “*Written certification*” means a document signed by a
 12 health care practitioner, with whom the patient has established
 13 a patient-provider relationship, which states that the patient
 14 has a debilitating medical condition and identifies that
 15 condition and provides any other relevant information.

16 Sec. 52. **NEW SECTION. 124E.3 Health care practitioner**
 17 **certification — duties.**

18 1. Prior to a patient’s submission of an application for a
 19 medical cannabis registration card pursuant to section 124E.4,
 20 a health care practitioner shall do all of the following:

21 a. Determine, in the health care practitioner’s medical
 22 judgment, whether the patient whom the health care practitioner
 23 has examined and treated suffers from a debilitating medical
 24 condition that qualifies for the use of medical cannabis under
 25 this chapter, and if so determined, provide the patient with a
 26 written certification of that diagnosis.

27 b. Provide explanatory information as provided by the
 28 department to the patient about the therapeutic use of medical
 29 cannabis.

30 c. Determine, on an annual basis, if the patient continues
 31 to suffer from a debilitating medical condition and, if so,
 32 issue the patient a new certification of that diagnosis. This
 33 paragraph shall not apply if the patient is suffering from an
 34 incurable debilitating medical condition.

35 d. Otherwise comply with all requirements established by the

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1 department pursuant to rule.

2 2. A health care practitioner may provide, but has no duty
 3 to provide, a written certification pursuant to this section.

4 Sec. 53. **NEW SECTION. 124E.4 Medical cannabis registration**
 5 **card.**

6 1. *Issuance to patient.* The department may approve the
 7 issuance of a medical cannabis registration card by the
 8 department of transportation to a patient who:

9 a. Is at least eighteen years of age.

10 b. Is a permanent resident of this state.

11 c. Submits a written certification to the department signed
 12 by the patient’s health care practitioner that the patient is

13 suffering from a debilitating medical condition.
14 *d.* Submits an application to the department, on a form
15 created by the department, in consultation with the department
16 of transportation, that contains all of the following:
17 (1) The patient's full name, Iowa residence address, date
18 of birth, and telephone number.
19 (2) A copy of the patient's valid photograph
20 identification.
21 (3) Full name, address, and telephone number of the
22 patient's health care practitioner.
23 (4) Full name, residence address, date of birth, and
24 telephone number of each primary caregiver of the patient, if
25 any.
26 (5) Any other information required by rule.
27 *e.* Submits a medical cannabis registration card fee of one
28 hundred dollars to the department. If the patient attests to
29 receiving social security disability benefits, supplemental
30 security insurance payments, or being enrolled in the medical
31 assistance program, the fee shall be twenty-five dollars.
32 2. *Patient card contents.* A medical cannabis registration
33 card issued to a patient by the department of transportation
34 pursuant to subsection 1 shall contain, at a minimum, all of
35 the following:

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1 *a.* The patient's full name, Iowa residence address, and date
2 of birth.
3 *b.* The patient's photograph.
4 *c.* The date of issuance and expiration of the registration
5 card.
6 *d.* Any other information required by rule.
7 3. *Issuance to primary caregiver.* For a patient in a
8 primary caregiver's care, the department may approve the
9 issuance of a medical cannabis registration card by the
10 department of transportation to the primary caregiver who:
11 *a.* Submits a written certification to the department signed
12 by the patient's health care practitioner that the patient in
13 the primary caregiver's care is suffering from a debilitating
14 medical condition.
15 *b.* Submits an application to the department, on a form
16 created by the department, in consultation with the department
17 of transportation, that contains all of the following:
18 (1) The primary caregiver's full name, residence address,
19 date of birth, and telephone number.
20 (2) The patient's full name.
21 (3) A copy of the primary caregiver's valid photograph
22 identification.
23 (4) Full name, address, and telephone number of the
24 patient's health care practitioner.
25 (5) Any other information required by rule.
26 *c.* Submits a medical cannabis registration card fee of

27 twenty-five dollars to the department.
 28 4. *Primary caregiver card contents.* A medical cannabis
 29 registration card issued by the department of transportation to
 30 a primary caregiver pursuant to subsection 3 shall contain, at
 31 a minimum, all of the following:
 32 a. The primary caregiver's full name, residence address, and
 33 date of birth.
 34 b. The primary caregiver's photograph.
 35 c. The date of issuance and expiration of the registration

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1 card.
 2 d. The registration card number of each patient in the
 3 primary caregiver's care. If the patient in the primary
 4 caregiver's care is under the age of eighteen, the full name of
 5 the patient's parent or legal guardian.
 6 e. Any other information required by rule.
 7 5. *Expiration date of card.* A medical cannabis registration
 8 card issued pursuant to this section shall expire one year
 9 after the date of issuance and may be renewed.
 10 6. *Card issuance — department of transportation.*
 11 a. The department may enter into a chapter 28E agreement
 12 with the department of transportation to facilitate the
 13 issuance of medical cannabis registration cards pursuant to
 14 subsections 1 and 3.
 15 b. The department of transportation may issue renewal
 16 medical cannabis registration cards through an online or
 17 in-person process.
 18 **Sec. 54. NEW SECTION. 124E.5 Medical advisory board —**
 19 **duties.**
 20 1. No later than August 15, 2018, the director of public
 21 health shall establish a medical advisory board consisting of
 22 nine practitioners representing the fields of neurology, pain
 23 management, gastroenterology, oncology, psychiatry, pediatrics,
 24 infectious disease, family medicine, and pharmacy, and three
 25 patients or primary caregivers with valid medical cannabis
 26 registration cards. The practitioners shall be nationally
 27 board-certified in their area of specialty and knowledgeable
 28 about the use of medical cannabis.
 29 2. A quorum of the advisory board shall consist of seven
 30 members.
 31 3. The duties of the advisory board shall include but not be
 32 limited to the following:
 33 a. Reviewing and recommending to the department for
 34 approval additional chronic or debilitating diseases or
 35 medical conditions or their treatments as debilitating medical

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1 conditions that qualify for the use of medical cannabis under
 2 this chapter.

- 3 *b.* Accepting and reviewing petitions to add chronic or
4 debilitating diseases or medical conditions or their medical
5 treatments to the list of debilitating medical conditions that
6 qualify for the use of medical cannabis under this chapter.
- 7 *c.* Working with the department regarding the requirements
8 for the licensure of medical cannabis manufacturers and medical
9 cannabis dispensaries, including licensure procedures.
- 10 *d.* Advising the department regarding the location of
11 medical cannabis dispensaries throughout the state, the form
12 and quantity of allowable medical cannabis to be dispensed
13 to a patient or primary caregiver, and the general oversight
14 of medical cannabis manufacturers and medical cannabis
15 dispensaries in this state.
- 16 *e.* Convening at least twice per year to conduct public
17 hearings and to review and recommend for approval petitions,
18 which shall be maintained as confidential personal health
19 information, to add chronic or debilitating diseases or
20 medical conditions or their medical treatments to the list of
21 debilitating medical conditions that qualify for the use of
22 medical cannabis under this chapter.
- 23 *f.* Recommending improvements relating to the effectiveness
24 of the provisions of this chapter.
- 25 *g.* In making recommendations pursuant to this section,
26 consideration of the economic and financial impacts on patients
27 and the medical cannabis industry, and making recommendations
28 that minimize the extent of such impacts to the greatest extent
29 practicable.
- 30 **Sec. 55. NEW SECTION. 124E.6 Medical cannabis manufacturer**
31 **licensure.**
- 32 *1.a.* The department shall license up to four medical
33 cannabis manufacturers to manufacture medical cannabis within
34 this state consistent with the provisions of this chapter by
35 December 1, 2017. The department shall license new medical

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- 1 cannabis manufacturers or relicense the existing medical
2 cannabis manufacturers by December 1 of each year.
- 3 *b.* Information submitted during the application process
4 shall be confidential until the medical cannabis manufacturer
5 is licensed by the department unless otherwise protected from
6 disclosure under state or federal law.
- 7 2. As a condition for licensure, a medical cannabis
8 manufacturer must agree to begin supplying medical cannabis to
9 medical cannabis dispensaries in this state by July 2, 2018.
- 10 3. The department shall consider the following factors in
11 determining whether to license a medical cannabis manufacturer:
- 12 *a.* The technical expertise of the medical cannabis
13 manufacturer regarding medical cannabis.
- 14 *b.* The qualifications of the medical cannabis manufacturer's
15 ownership and management team.
- 16 *c.* The long-term financial stability of the medical cannabis

17 manufacturer.

18 *d.* The ability to provide appropriate security measures on
19 the premises of the medical cannabis manufacturer.

20 *e.* Whether the medical cannabis manufacturer has
21 demonstrated an ability to meet certain medical cannabis
22 production needs for medical use regarding the range of
23 recommended dosages for each debilitating medical condition,
24 the range of chemical compositions of any plant of the genus
25 cannabis that will likely be medically beneficial for each
26 of the debilitating medical conditions, and the form of the
27 medical cannabis in the manner determined by the department
28 pursuant to rule.

29 *f.* The medical cannabis manufacturer's projection of and
30 ongoing assessment of fees on patients with debilitating
31 medical conditions.

32 *g.* The medical cannabis manufacturer's experience in medical
33 cannabis production, plant extraction, and pharmaceutical
34 formulations.

35 4. The department shall require each medical cannabis

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1 manufacturer to contract with a laboratory approved by the
2 department to test the medical cannabis produced by the
3 manufacturer. The department shall require that the laboratory
4 report testing results to the manufacturer in a manner
5 determined by the department pursuant to rule.

6 5. Each entity submitting an application for licensure
7 as a medical cannabis manufacturer shall pay a nonrefundable
8 application fee of fifteen thousand dollars to the department.

9 **Sec. 56. NEW SECTION. 124E.7 Medical cannabis**
10 **manufacturers.**

11 1. A medical cannabis manufacturer shall contract with a
12 laboratory approved by the department for purposes of testing
13 the medical cannabis manufactured by the medical cannabis
14 manufacturer as to content, contamination, and consistency.
15 The cost of all laboratory testing shall be paid by the medical
16 cannabis manufacturer.

17 2. The operating documents of a medical cannabis
18 manufacturer shall include all of the following:

19 *a.* Procedures for the oversight of the medical cannabis
20 manufacturer and procedures to ensure accurate recordkeeping.

21 *b.* Procedures for the implementation of appropriate security
22 measures to deter and prevent the theft of medical cannabis and
23 unauthorized entrance into areas containing medical cannabis.

24 3. A medical cannabis manufacturer shall implement security
25 requirements, including requirements for protection of each
26 location by a fully operational security alarm system, facility
27 access controls, perimeter intrusion detection systems, and a
28 personnel identification system.

29 4. A medical cannabis manufacturer shall not share
30 office space with, refer patients to, or have any financial

31 relationship with a health care practitioner.

32 5. A medical cannabis manufacturer shall not permit any
33 person to consume medical cannabis on the property of the
34 medical cannabis manufacturer.

35 6. A medical cannabis manufacturer is subject to reasonable

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1 inspection by the department.

2 7. A medical cannabis manufacturer shall not employ a
3 person who is under eighteen years of age or who has been
4 convicted of a disqualifying felony offense. An employee
5 of a medical cannabis manufacturer shall be subject to a
6 background investigation conducted by the division of criminal
7 investigation of the department of public safety and a national
8 criminal history background check.

9 8. A medical cannabis manufacturer shall not operate in any
10 location, whether for manufacturing, cultivating, harvesting,
11 packaging, or processing, within one thousand feet of a public
12 or private school existing before the date of the medical
13 cannabis manufacturer's licensure by the department.

14 9. A medical cannabis manufacturer shall comply with
15 reasonable restrictions set by the department relating to
16 signage, marketing, display, and advertising of medical
17 cannabis.

18 10.a. A medical cannabis manufacturer shall provide a
19 reliable and ongoing supply of medical cannabis to medical
20 cannabis dispensaries pursuant to this chapter.

21 b. All manufacturing, cultivating, harvesting, packaging,
22 and processing of medical cannabis shall take place in an
23 enclosed, locked facility at a physical address provided to the
24 department during the licensure process.

25 c. A medical cannabis manufacturer shall not manufacture
26 edible medical cannabis products utilizing food coloring.

27 d. A medical cannabis manufacturer shall manufacture a
28 reliable and ongoing supply of medical cannabis to treat every
29 debilitating medical condition listed in this chapter.

30 11. The department shall establish and collect an annual
31 fee from a medical cannabis manufacturer not to exceed the cost
32 of regulating and inspecting the manufacturer in the calendar
33 year.

34 **Sec. 57. NEW SECTION. 124E.8 Medical cannabis dispensary**
35 **licensure.**

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1 1.a. The department shall license by April 2, 2018, twelve
2 medical cannabis dispensaries to dispense medical cannabis
3 within this state consistent with the provisions of this
4 chapter. The department shall license new medical cannabis
5 dispensaries or relicense the existing medical cannabis
6 dispensaries by December 1 of each year.

7 *b.* Information submitted during the application process
8 shall be confidential until the medical cannabis dispensary
9 is licensed by the department unless otherwise protected from
10 disclosure under state or federal law.

11 2. As a condition for licensure, a medical cannabis
12 dispensary must agree to begin supplying medical cannabis to
13 patients by July 16, 2018.

14 3. The department shall consider the following factors in
15 determining whether to license a medical cannabis dispensary:
16 *a.* The technical expertise of the medical cannabis
17 dispensary regarding medical cannabis.
18 *b.* The qualifications of the medical cannabis dispensary's
19 owners and management team.
20 *c.* The long-term financial stability of the medical cannabis
21 dispensary.
22 *d.* The ability to provide appropriate security measures on
23 the premises of the medical cannabis dispensary.
24 *e.* The medical cannabis dispensary's projection and ongoing
25 assessment of fees for the purchase of medical cannabis on
26 patients with debilitating medical conditions.

27 4. Each entity submitting an application for licensure
28 as a medical cannabis dispensary shall pay a nonrefundable
29 application fee of fifteen thousand dollars to the department.

30 Sec. 58.NEW SECTION. 124E.9 Medical cannabis dispensaries.

31 1.*a.* Medical cannabis dispensaries shall be located based
32 on geographical need throughout the state to improve patient
33 access.

34 *b.* A medical cannabis dispensary may dispense medical
35 cannabis pursuant to the provisions of this chapter but shall

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1 not dispense any medical cannabis in a form or quantity other
2 than the form or quantity allowed by the department pursuant
3 to rule.

4 2. The operating documents of a medical cannabis dispensary
5 shall include all of the following:
6 *a.* Procedures for the oversight of the medical cannabis
7 dispensary and procedures to ensure accurate recordkeeping.
8 *b.* Procedures for the implementation of appropriate security
9 measures to deter and prevent the theft of medical cannabis and
10 unauthorized entrance into areas containing medical cannabis.

11 3. A medical cannabis dispensary shall implement security
12 requirements, including requirements for protection by a fully
13 operational security alarm system, facility access controls,
14 perimeter intrusion detection systems, and a personnel
15 identification system.

16 4. A medical cannabis dispensary shall not share office
17 space with, refer patients to, or have any financial
18 relationship with a health care practitioner.

19 5. A medical cannabis dispensary shall not permit any person
20 to consume medical cannabis on the property of the medical

21 cannabis dispensary.

22 6. A medical cannabis dispensary is subject to reasonable
23 inspection by the department.

24 7. A medical cannabis dispensary shall not employ a
25 person who is under eighteen years of age or who has been
26 convicted of a disqualifying felony offense. An employee
27 of a medical cannabis dispensary shall be subject to a
28 background investigation conducted by the division of criminal
29 investigation of the department of public safety and a national
30 criminal history background check.

31 8. A medical cannabis dispensary shall not operate in any
32 location within one thousand feet of a public or private school
33 existing before the date of the medical cannabis dispensary's
34 licensure by the department.

35 9. A medical cannabis dispensary shall comply with

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1 reasonable restrictions set by the department relating to
2 signage, marketing, display, and advertising of medical
3 cannabis.

4 10. Prior to dispensing of any medical cannabis, a medical
5 cannabis dispensary shall do all of the following:

6 a. Verify that the medical cannabis dispensary has received
7 a valid medical cannabis registration card from a patient or a
8 patient's primary caregiver, if applicable.

9 b. Assign a tracking number to any medical cannabis
10 dispensed from the medical cannabis dispensary.

11 c.(1) Properly package medical cannabis in compliance with
12 federal law regarding child resistant packaging and exemptions
13 for packaging for elderly patients, and label medical cannabis
14 with a list of all active ingredients and individually
15 identifying information, including all of the following:

16 (a) The name and date of birth of the patient and the
17 patient's primary caregiver, if appropriate.

18 (b) The medical cannabis registration card numbers of the
19 patient and the patient's primary caregiver, if applicable.

20 (c) The chemical composition of the medical cannabis.

21 (2) Proper packaging of medical cannabis shall include but
22 not be limited to all of the following:

23 (a) Warning labels regarding the use of medical cannabis by
24 a woman during pregnancy and while breastfeeding.

25 (b) Clearly labeled packaging indicating that an edible
26 medical cannabis product contains medical cannabis and which
27 packaging shall not imitate candy products or in any way make
28 the product marketable to children.

29 **Sec. 59. NEW SECTION. 124E.10 Fees.**

30 Medical cannabis registration card fees and medical cannabis
31 manufacturer and medical cannabis dispensary application
32 and annual fees collected by the department pursuant to
33 this chapter shall be retained by the department, shall be
34 considered repayment receipts as defined in section 8.2, and

35 shall be used for the purpose of regulating medical cannabis

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1 manufacturers and medical cannabis dispensaries and for other
 2 expenses necessary for the administration of this chapter.
 3 **Sec. 60. NEW SECTION. 124E.11 Department duties — rules.**
 4 1.a. The department shall maintain a confidential file of
 5 the names of each patient to or for whom the department issues
 6 a medical cannabis registration card, the name of each primary
 7 caregiver to whom the department issues a medical cannabis
 8 registration card under section 124E.4, and the names of each
 9 health care practitioner who provides a written certification
 10 for medical cannabis pursuant to this chapter.
 11 b. Individual names contained in the file shall be
 12 confidential and shall not be subject to disclosure, except as
 13 provided in subparagraph (1).
 14 (1) Information in the confidential file maintained
 15 pursuant to paragraph “a” may be released on an individual basis
 16 to the following persons under the following circumstances:
 17 (a) To authorized employees or agents of the department and
 18 the department of transportation as necessary to perform the
 19 duties of the department and the department of transportation
 20 pursuant to this chapter.
 21 (b) To authorized employees of state or local law
 22 enforcement agencies, but only for the purpose of verifying
 23 that a person is lawfully in possession of a medical cannabis
 24 registration card issued pursuant to this chapter.
 25 (c) To authorized employees of a medical cannabis
 26 dispensary, but only for the purpose of verifying that a person
 27 is lawfully in possession of a medical cannabis registration
 28 card issued pursuant to this chapter.
 29 (d) To any other authorized persons recognized by the
 30 department by rule, but only for the purpose of verifying
 31 that a person is lawfully in possession of a medical cannabis
 32 registration card issued pursuant to this chapter.
 33 (2) Release of information pursuant to subparagraph
 34 (1) shall be consistent with the federal Health Insurance
 35 Portability and Accountability Act of 1996, Pub. L. No.

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1 104-191.
 2 2. The department shall adopt rules pursuant to chapter
 3 17A to administer this chapter which shall include but not be
 4 limited to rules to do all of the following:
 5 a. Govern the manner in which the department shall consider
 6 applications for new and renewal medical cannabis registration
 7 cards.
 8 b. Identify criteria and set forth procedures for
 9 including additional chronic or debilitating diseases or
 10 medical conditions or their medical treatments on the list of

11 debilitating medical conditions that qualify for the use of
12 medical cannabis. Procedures shall include a petition process
13 and shall allow for public comment and public hearings before
14 the medical advisory board.

15 c. Set forth additional chronic or debilitating diseases
16 or medical conditions or associated medical treatments for
17 inclusion on the list of debilitating medical conditions that
18 qualify for the use of medical cannabis as recommended by the
19 medical advisory board.

20 d. Establish, in consultation with medical cannabis
21 manufacturers and medical cannabis dispensaries, the form and
22 quantity of medical cannabis allowed to be dispensed to a
23 patient or primary caregiver pursuant to this chapter. The
24 form and quantity of medical cannabis shall be appropriate to
25 serve the medical needs of patients with debilitating medical
26 conditions.

27 e. Establish, in conjunction with the medical advisory
28 board, requirements for the licensure of medical cannabis
29 manufacturers and medical cannabis dispensaries and set forth
30 procedures for medical cannabis manufacturers and medical
31 cannabis dispensaries to obtain licenses.

32 f. Develop a dispensing system for medical cannabis within
33 this state that provides for all of the following:

34 (1) Medical cannabis dispensaries within this state housed
35 on secured grounds and operated by licensed medical cannabis

PAGE 32

1 dispensaries.

2 (2) The dispensing of medical cannabis to patients and
3 their primary caregivers to occur at locations designated by
4 the department.

5 g. Establish and collect annual fees from medical cannabis
6 manufacturers and medical cannabis dispensaries to cover
7 the costs associated with regulating and inspecting medical
8 cannabis manufacturers and medical cannabis dispensaries.

9 h. Specify and implement procedures that address public
10 safety including security procedures and product quality
11 including measures to ensure contaminant-free cultivation of
12 medical cannabis, safety, and labeling.

13 i. Establish and implement a medical cannabis inventory
14 and delivery tracking system to track medical cannabis
15 from production by a medical cannabis manufacturer through
16 dispensing at a medical cannabis dispensary.

17 Sec. 61.**NEW SECTION. 124E.12 Reciprocity.**

18 A valid medical cannabis registration card, or its
19 equivalent, issued under the laws of another state that allows
20 an out-of-state patient to possess or use medical cannabis in
21 the jurisdiction of issuance shall have the same force and
22 effect as a valid medical cannabis registration card issued
23 pursuant to this chapter, except that an out-of-state patient
24 in this state shall not obtain medical cannabis from a medical

25 cannabis dispensary in this state and an out-of-state patient
26 shall not smoke medical cannabis.
27 Sec. 62.NEW SECTION. 124E.13 Use of medical cannabis —
28 **affirmative defenses.**
29 1. A health care practitioner, including any authorized
30 agent or employee thereof, shall not be subject to
31 prosecution for the unlawful certification, possession, or
32 administration of marijuana under the laws of this state for
33 activities arising directly out of or directly related to the
34 certification or use of medical cannabis in the treatment of
35 a patient diagnosed with a debilitating medical condition as

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1 authorized by this chapter.
2 2. A medical cannabis manufacturer, including any
3 authorized agent or employee thereof, shall not be subject
4 to prosecution for manufacturing, possessing, cultivating,
5 harvesting, packaging, processing, transporting, or supplying
6 medical cannabis pursuant to this chapter.
7 3. A medical cannabis dispensary, including any authorized
8 agent or employee thereof, shall not be subject to prosecution
9 for transporting, supplying, or dispensing medical cannabis
10 pursuant to this chapter.
11 a. In a prosecution for the unlawful possession of marijuana
12 under the laws of this state, including but not limited to
13 chapters 124 and 453B, it is an affirmative and complete
14 defense to the prosecution that the patient has been diagnosed
15 with a debilitating medical condition, used or possessed
16 medical cannabis pursuant to a certification by a health care
17 practitioner as authorized under this chapter, and, for a
18 patient eighteen years of age or older, is in possession of a
19 valid medical cannabis registration card.
20 b. In a prosecution for the unlawful possession of marijuana
21 under the laws of this state, including but not limited to
22 chapters 124 and 453B, it is an affirmative and complete
23 defense to the prosecution that the person possessed medical
24 cannabis because the person is a primary caregiver of a patient
25 who has been diagnosed with a debilitating medical condition
26 and is in possession of a valid medical cannabis registration
27 card, and where the primary caregiver's possession of the
28 medical cannabis is on behalf of the patient and for the
29 patient's use only as authorized under this chapter.
30 c. If a patient or primary caregiver is charged with the
31 commission of a crime and is not in possession of the person's
32 medical cannabis registration card, any charge or charges filed
33 against the person shall be dismissed by the court if the
34 person produces to the court prior to or at the person's trial
35 a medical cannabis registration card issued to that person and

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1 valid at the time the person was charged.
2 4. An agency of this state or a political subdivision
3 thereof, including any law enforcement agency, shall not remove
4 or initiate proceedings to remove a patient under the age
5 of eighteen from the home of a parent based solely upon the
6 parent's or patient's possession or use of medical cannabis as
7 authorized under this chapter.

8 **Sec. 63. NEW SECTION. 124E.14 Penalties.**

9 1. A person who knowingly or intentionally possesses or
10 uses medical cannabis in violation of the requirements of this
11 chapter is subject to the penalties provided under chapters 124
12 and 453B.

13 2. A medical cannabis manufacturer or a medical cannabis
14 dispensary shall be assessed a civil penalty of up to one
15 thousand dollars per violation for any violation of this
16 chapter in addition to any other applicable penalties.

17 **Sec. 64. NEW SECTION. 124E.15 Use of medical cannabis —**
18 **smoking prohibited.**

19 A patient shall not consume medical cannabis possessed
20 or used as authorized under this chapter by smoking medical
21 cannabis.

22 **Sec. 65. NEW SECTION. 124E.16 Employment.**

23 1. An employer in this state may retain, create, reinstate,
24 or enforce a written zero tolerance policy prohibiting the
25 possession or use of medical cannabis or any derivative
26 thereof including cannabidiol by an employee in the employer's
27 workplace, including but not limited to a policy prohibiting
28 an employee from having any detectable amount of medical
29 cannabis or any derivative thereof including cannabidiol in the
30 employee's body while at work.

31 2. An employer's prohibition of the possession or use
32 of medical cannabis or any derivative thereof including
33 cannabidiol under this section shall not be considered to be
34 an unfair or discriminatory employment practice under section
35 216.6.

PAGE 35

1 Sec. 66. Section 730.5, subsection 11, Code 2018, is amended
2 by adding the following new paragraph:

3 **NEW PARAGRAPH. f.** Testing or taking action against an
4 individual with a confirmed positive test result due to the
5 individual's use of medical cannabis as authorized under
6 chapter 124E.

7 **Sec. 67. REPEAL.** Chapter 124D, Code 2018, is repealed.

8 **Sec. 68. EMERGENCY RULES.** The department may adopt
9 emergency rules under section 17A.4, subsection 3, and section
10 17A.5, subsection 2, paragraph "b", to implement the provisions
11 of this division of this Act and the rules shall be effective
12 immediately upon filing unless a later date is specified in the

13 rules. Any rules adopted in accordance with this section shall
 14 also be published as a notice of intended action as provided
 15 in section 17A.4.

16 Sec. 69.TRANSITION PROVISIONS. A medical cannabidiol
 17 registration card issued under chapter 124D prior to the
 18 effective date of this division of this Act, remains effective
 19 and continues in effect as issued for the twelve-month period
 20 following its issuance. This division of this Act does not
 21 preclude a medical cannabidiol registration card holder from
 22 seeking to renew the registration card under this division of
 23 this Act prior to the expiration of the twelve-month period.

24 Sec. 70.EFFECTIVE UPON ENACTMENT. This division of this
 25 Act, being deemed of immediate importance, takes effect upon
 26 enactment.

27 DIVISION VIII

28 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN

29 Sec. 71.NEW SECTION. **509A.13C Health care coverage for**
 30 **surviving spouse and children of fire fighters and peace officers**
 31 **killed in the line of duty.**

32 1. For the purposes of this section, “*eligible peace officer*
 33 *or fire fighter*” means a peace officer as defined in section
 34 801.4, or a fire fighter, to which a line of duty death benefit
 35 is payable pursuant to section 97A.6, subsection 16, section

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1 97B.52, subsection 2, or section 411.6, subsection 15.

2 2.a. If a governing body, a county board of supervisors,
 3 or a city council has procured accident or health care coverage
 4 for its employees under this chapter, such coverage may permit
 5 continuation of existing coverage or reenrollment in previously
 6 existing coverage for the surviving spouse and each surviving
 7 child of an eligible peace officer or fire fighter subject to
 8 the requirements of this section.

9 b. A governing body, a county board of supervisors, or a
 10 city council may also provide continuation of existing coverage
 11 for the surviving spouse and each surviving child of a peace
 12 officer as defined in section 801.4, or a fire fighter who
 13 dies and to which a line of duty death benefit is reasonably
 14 expected to be payable pursuant to section 97A.6, subsection
 15 16, section 97B.52, subsection 2, or section 411.6, subsection
 16 15, until such time as the determination of whether to provide
 17 a line of duty death benefit is made.

18 3. A surviving child of an eligible peace officer or fire
 19 fighter may be provided coverage as required by this section,
 20 with the full cost of the coverage paid by the applicable
 21 governing body, county board of supervisors, or city council,
 22 until the policy anniversary date on or after the date the
 23 child attains the age of twenty-six. However, a surviving
 24 child shall not be provided coverage as required by this
 25 section for the period of time beginning on the date the child
 26 becomes enrolled for coverage under Medicaid, and ending on

27 the date the child is no longer enrolled for coverage under
28 Medicaid.
29 4.a. Except as provided in paragraph "b", a surviving
30 spouse of an eligible peace officer or fire fighter may be
31 provided coverage as required by this section, with the full
32 cost of the coverage paid by the applicable governing body,
33 county board of supervisors, or city council, until the date on
34 which the surviving spouse becomes eligible for coverage under
35 Medicare.

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1 b. A surviving spouse shall not be provided coverage with
2 the full cost of the coverage paid by the applicable governing
3 body, county board of supervisors, or city council, as provided
4 by this subsection, if any of the following apply:
5 (1) The surviving spouse is eligible, and remains eligible,
6 for comparable group medical coverage, whether insured or
7 self-insured.
8 (2) The surviving spouse becomes enrolled, and remains
9 enrolled, for coverage under Medicaid.
10 (3) The surviving spouse remarries, and remains married.
11 5. Notwithstanding any other provision of law, a surviving
12 spouse who is no longer eligible for coverage under this
13 section with the full cost of the coverage paid by the
14 applicable governing body, county board of supervisors, or city
15 council, pursuant to subsection 4, paragraph "b", may elect
16 to continue accident or health care coverage by requesting
17 continuation in writing to the applicable governing body,
18 county board of supervisors, or city council within thirty-one
19 days after the date the surviving spouse is no longer eligible
20 for coverage as provided in subsection 4, paragraph "b". A
21 surviving spouse electing to continue coverage under this
22 subsection shall pay the premium for the accident or health
23 care coverage in the same manner as, and at the same premium
24 paid by, employees covered by the accident or health care
25 coverage.
26 6. A governing body, a county board of supervisors, or a
27 city council shall notify the provider of accident or health
28 care coverage for its employees of a surviving spouse and
29 each surviving child to be provided coverage pursuant to the
30 requirements of this section.
31 7. This section shall not require continuation of coverage
32 if the surviving spouse or surviving child who would otherwise
33 be entitled to continuation of coverage under this section was,
34 through the surviving spouse's or surviving child's actions, a
35 substantial contributing factor to the death of the eligible

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1 peace officer or fire fighter.
2 Sec. 72.APPLICABILITY — HEALTH CARE COVERAGE FOR PRIOR

3 DEATHS. The surviving spouse and each surviving child of a
 4 peace officer as defined in section 801.4, or a fire fighter
 5 who died on or after January 1, 1985, but before July 1, 2000,
 6 to which the requirements for providing a line of duty death
 7 pursuant to section 97A.6, subsection 16, section 97B.52,
 8 subsection 2, or section 411.6, subsection 15, would otherwise
 9 have been established, and the surviving spouse and each
 10 surviving child of an eligible peace officer or fire fighter
 11 as defined in section 509A.13C, as enacted in this Act, may
 12 be entitled to coverage as provided in section 509A.13C upon
 13 written notification of the applicable governing body, county
 14 board of supervisors, or city council. Coverage provided under
 15 section 509A.13C pursuant to this section shall be for claims
 16 for services incurred on or after the date of reenrollment.

17 Sec. 73.EFFECTIVE DATE. This division of this Act, being
 18 deemed of immediate importance, takes effect upon enactment.

19 Sec. 74.RETROACTIVE APPLICABILITY. This division of this
 20 Act applies retroactively to a death occurring on or after
 21 January 1, 1985.

22 DIVISION IX

23 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED
 24 IN THE LINE OF DUTY

25 Sec. 75. Section 261.87, subsection 1, Code 2018, is amended
 26 by adding the following new paragraph:

27 NEW PARAGRAPH. *Od. "Eligible surviving-child student"* means
 28 a qualified student who is under the age of twenty-six, or
 29 under the age of thirty if the student is a veteran who is
 30 eligible for benefits, or has exhausted the benefits, under the
 31 federal Post-9/11 Veterans Educational Assistance Act of 2008;
 32 who is not a convicted felon as defined in section 910.15; and
 33 who meets any of the following criteria:

34 (1) Is the child of a peace officer, as defined in section
 35 97A.1, who was killed in the line of duty as determined by

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1 the board of trustees of the Iowa department of public safety
 2 peace officers' retirement, accident, and disability system in
 3 accordance with section 97A.6, subsection 16.

4 (2) Is the child of a police officer or a fire fighter, as
 5 each is defined in section 411.1, who was killed in the line of
 6 duty as determined by the statewide fire and police retirement
 7 system in accordance with section 411.6, subsection 15.

8 (3) Is the child of a sheriff or deputy sheriff as each is
 9 defined in section 97B.49C, who was killed in the line of duty
 10 as determined by the Iowa public employees' retirement system
 11 in accordance with section 97B.52, subsection 2.

12 (4) Is the child of a fire fighter or police officer
 13 included under section 97B.49B, who was killed in the line of
 14 duty as determined by the Iowa public employees' retirement
 15 system in accordance with section 97B.52, subsection 2.

16 Sec. 76. Section 261.87, subsection 3, Code 2018, is amended

17 to read as follows:

18 3. *Priority for scholarship awards.* Priority for
19 scholarships under this section shall be given to eligible
20 foster care students, then to eligible surviving-child
21 students, who meet the eligibility criteria under subsection
22 2. Following distribution to students who meet the eligibility
23 criteria under subsection 2, the commission may establish
24 priority for awarding scholarships using any moneys that remain
25 in the all Iowa opportunity scholarship fund.

26 DIVISION X

27 PUBLIC RETIREMENT SYSTEMS GOALS

28 Sec. 77. Section 97D.1, Code 2018, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 01. It is the intent of the general
31 assembly to maintain strong and stable public retirement
32 systems that allow employees to retire with dignity.

33 DIVISION XI

34 NONPARTISAN REDISTRICTING

35 Sec. 78. NONPARTISAN REDISTRICTING. It is the intent of the

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1 general assembly that Iowa maintain its commitment to fair and
2 nonpartisan redistricting.

3 DIVISION XII

4 TARIFFS — LEGISLATIVE INTENT

5 Sec. 79. TARIFF OPPOSITION. The general assembly finds and
6 declares that the implementation of tariffs designed to address
7 certain foreign trade practices, including steel and aluminum
8 imports, is counterproductive and will cause substantial and
9 immediate negative consequences to the economies of this state,
10 other farm states, and this nation, which depend upon the
11 export of agricultural commodities including soybeans to world
12 markets.

13 DIVISION XIII

14 WATERSHED IMPROVEMENT FUND — SKILLED WORKFORCE SHORTAGE

15 TUITION GRANTS

16 Sec. 80. WATERSHED IMPROVEMENT FUND — SKILLED WORKFORCE
17 SHORTAGE TUITION GRANTS. Notwithstanding 2017 Iowa Acts,
18 chapter 168, section 22, as amended by 2017 Iowa Acts, chapter
19 170, section 42, of the moneys credited to the watershed
20 improvement fund that are unencumbered or unobligated and
21 managed by and otherwise appropriated to the department of
22 agriculture and land stewardship pursuant to those sections,
23 the department shall expend the following amount, or so much
24 thereof as is necessary, for the fiscal year beginning July 1,
25 2018, and ending June 30, 2019, for the purpose designated:

26 For purposes of providing skilled workforce shortage tuition
27 grants in accordance with section 261.130:

28 \$ 1,400,000

29 DIVISION XIV

30 POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL STUDENTS

31 Sec. 81.POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL
 32 STUDENTS PROGRAM — EFFECTIVE DATE. Notwithstanding 2018 Iowa
 33 Acts, House File 2458, section 15, the following takes effect
 34 July 1, 2018:
 35 Section 261E.8, subsection 7A, as enacted by 2018 Iowa Acts,

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1 House File 2458, section 14.
 2 DIVISION XV
 3 SOLAR ENERGY SYSTEM TAX CREDIT
 4 Sec. 82.REPEAL. The section in 2018 Iowa Acts, Senate File
 5 2417, striking section 422.33, subsection 29, if enacted, is
 6 repealed.
 7 Sec. 83.REPEAL. The section in 2018 Iowa Acts, Senate File
 8 2417, striking section 422.60, subsection 12, if enacted, is
 9 repealed.
 10 Sec. 84.REPEAL. The section in 2018 Iowa Acts, Senate
 11 File 2417, striking section 476C.2, subsection 3, if enacted,
 12 is repealed.
 13 Sec. 85.REPEAL. The section in 2018 Iowa Acts, Senate File
 14 2417, striking section 533.329, subsection 2, paragraph 1, if
 15 enacted, is repealed.
 16 Sec. 86.REPEAL. The section in 2018 Iowa Acts, Senate File
 17 2417, repealing section 422.11L, if enacted, is repealed.
 18 Sec. 87.REPEAL. The section in 2018 Iowa Acts, House File
 19 2489, striking section 422.33, subsection 29, if enacted, is
 20 repealed.
 21 Sec. 88.REPEAL. The section in 2018 Iowa Acts, House File
 22 2489, striking section 422.60, subsection 12, if enacted, is
 23 repealed.
 24 Sec. 89.REPEAL. The section in 2018 Iowa Acts, House File
 25 2489, striking section 476C.2, subsection 3, if enacted, is
 26 repealed.
 27 Sec. 90.REPEAL. The section in 2018 Iowa Acts, House File
 28 2489, striking section 533.329, subsection 2, paragraph 1, if
 29 enacted, is repealed.
 30 Sec. 91.REPEAL. The section in 2018 Iowa Acts, House File
 31 2489, repealing section 422.11L, if enacted, is repealed.
 32 Sec. 92.EFFECTIVE DATE. This division of this Act, being
 33 deemed of immediate importance, takes effect upon enactment.
 34 DIVISION XVI
 35 GEOTHERMAL TAX CREDITS

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1 Sec. 93.REPEAL. The section in 2018 Iowa Acts, Senate
 2 File 2417, repealing sections 422.10A and 422.11I, if enacted,
 3 are repealed.
 4 Sec. 94.REPEAL. The section in 2018 Iowa Acts, House File
 5 2489, repealing sections 422.10A and 422.11I, if enacted, are
 6 repealed.

7 Sec. 95.EFFECTIVE DATE. This division of this Act, being
8 deemed of immediate importance, takes effect upon enactment.

9 DIVISION XVII

10 CHILD AND DEPENDENT CARE TAX CREDIT

11 Sec. 96. Section 422.12C, subsection 1, paragraphs a, b, c,
12 d, e, and f, Code 2018, are amended to read as follows:

13 a. For a taxpayer with net income of less than ten
14 thousand dollars, ~~seventy-five~~ seventy-eight and three-fourths
15 hundredths percent.

16 b. For a taxpayer with net income of ten thousand dollars
17 or more but less than twenty thousand dollars, ~~sixty-five~~
18 sixty-eight and one-fourth percent.

19 c. For a taxpayer with net income of twenty thousand dollars
20 or more but less than twenty-five thousand dollars, ~~fifty-five~~
21 fifty-seven and three-fourths percent.

22 d. For a taxpayer with net income of twenty-five thousand
23 dollars or more but less than thirty-five thousand dollars,
24 ~~fifty~~ fifty-two and one-half percent.

25 e. For a taxpayer with net income of thirty-five thousand
26 dollars or more but less than forty thousand dollars, ~~forty~~
27 forty-two percent.

28 f. For a taxpayer with net income of forty thousand dollars
29 or more but less than forty-five thousand dollars, ~~thirty~~
30 thirty-one and one-half percent.

31 Sec. 97.EFFECTIVE DATE. This division of this Act, being
32 deemed of immediate importance, takes effect upon enactment.

33 Sec. 98.RETROACTIVE APPLICABILITY. This division of this
34 Act applies retroactively to January 1, 2018, for tax years
35 beginning on or after that date.

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1 DIVISION XVIII

2 INCOME TAX CALCULATION FOR CERTAIN HIGH-INCOME TAXPAYERS

3 Sec. 99. Section 257.8, Code 2018, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 2A. *Complementary state aid — calculation*
6 *— fund.*

7 a. The complementary state aid fund is created in the state
8 treasury. The fund shall be separate from the general fund of
9 the state and the balance in the fund shall not be considered
10 part of the balance of the general fund of the state. The
11 moneys credited to the fund are not subject to section 8.33
12 and shall not be transferred, used, obligated, appropriated,
13 or otherwise encumbered except as provided in this section.
14 Notwithstanding section 12C.7, subsection 2, interest or
15 earnings on moneys deposited in the taxpayers trust fund shall
16 be credited to the fund.

17 b. For each fiscal year beginning on or after July 1,
18 2018, there is credited to the complementary state aid fund
19 from the general fund of the state an amount as calculated by
20 the department of revenue equal to the difference between the

21 actual net income tax revenues received from taxpayers subject
 22 to section 422.4A during the fiscal year and the estimated net
 23 income tax revenues the state would have received from those
 24 taxpayers during the fiscal year had such taxpayers calculated
 25 individual income tax liability under chapter 422, division II,
 26 without regard to section 422.4A.

27 c. Moneys in the complementary state aid fund shall only be
 28 used by the general assembly for purposes of funding increases
 29 in the state percent of growth under subsection 1 and the
 30 categorical state percent of growth under subsection 2.

31 Sec. 100.NEW SECTION. 422.4A Tax calculation for certain
 32 **high-income taxpayers.**

33 Notwithstanding any other provision of law to the contrary,
 34 a taxpayer with an adjusted gross income of one million dollars
 35 or more, as calculated for federal income tax purposes under

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1 the Internal Revenue Code, shall calculate the tax imposed
 2 under this division II pursuant to chapter 422, division II,
 3 Code 2018.

4 Sec. 101.APPLICABILITY. This division of this Act applies
 5 to tax years beginning on or after January 1, 2019.>>

6 2. By renumbering as necessary.

HALL of Woodbury

H-8506

1 Amend House File 633, as passed by the House, as follows:

2 1. Page 1, line 2, by striking <2017> and inserting <2018>

3 2. Page 1, by striking line 4 and inserting <opportunities
 4 — budget years beginning in 2014 through ~~2019~~ 2024.>

5 3. By striking page 1, line 5, through page 2, line 1, and
 6 inserting:

7 Sec. __. Section 257.11, subsection 5, paragraph a,
 8 subparagraph (1), Code 2018, is amended to read as follows:

9 (1) In order to provide additional funding to increase
 10 student opportunities and redirect more resources to student
 11 programming for school districts that share operational
 12 functions, a district that shares with a political subdivision
 13 one or more operational functions of a curriculum director,
 14 master social worker, independent social worker, or school
 15 counselor, or one or more operational functions in the areas
 16 of superintendent management, business management, human
 17 resources, transportation, or operation and maintenance for at
 18 least twenty percent of the school year shall be assigned a
 19 supplementary weighting for each shared operational function.
 20 A school district that shares an operational function in
 21 the area of superintendent management shall be assigned a
 22 supplementary weighting of eight pupils for the function. A
 23 school district that shares an operational function in the area

24 of business management, human resources, transportation, or
25 operation and maintenance shall be assigned a supplementary
26 weighting of five pupils for the function. A school district
27 that shares the operational functions of a curriculum director,
28 a master social worker or an independent social worker licensed
29 under chapters 147 and 154C, or a school counselor shall be
30 assigned a supplementary weighting of three pupils for the
31 function. The additional weighting shall be assigned for
32 each discrete operational function shared. However, a school
33 district may receive the additional weighting under this
34 subsection for sharing the services of an individual with a
35 political subdivision even if the type of operational function

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1 performed by the individual for the school district and the
2 type of operational function performed by the individual
3 for the political subdivision are not the same operational
4 function, so long as both operational functions are eligible
5 for weighting under this subsection. In such case, the school
6 district shall be assigned the additional weighting for the
7 type of operational function that the individual performs for
8 the school district, and the school district shall not receive
9 additional weighting for any other function performed by the
10 individual. The operational function sharing arrangement does
11 not need to be a newly implemented sharing arrangement to
12 receive supplementary weighting under this subsection.

13 <Sec. ____. Section 257.11, subsection 5, paragraphs c, d,
14 and e, Code 2018, are amended to read as follows:

15 c. Supplementary weighting pursuant to this subsection
16 shall be available to a school district ~~for a maximum of~~
17 ~~five years~~ during the period commencing with the budget year
18 beginning July 1, 2014, through the budget year beginning July
19 1, ~~2019~~ 2024. The maximum amount of additional weighting for
20 which a school district shall be eligible in a budget year
21 is twenty-one additional pupils. Criteria for determining
22 the qualification of operational functions for supplementary
23 weighting shall be determined by the department by rule,
24 through consideration of increased student opportunities.

25 d. Supplementary weighting pursuant to this subsection
26 shall be available to an area education agency ~~for a maximum of~~
27 ~~five years~~ during the period commencing with the budget year
28 beginning July 1, 2014, through the budget year beginning July
29 1, ~~2019~~ 2024. The minimum amount of additional funding for
30 which an area education agency shall be eligible in a budget
31 year is thirty thousand dollars, and the maximum amount of
32 additional funding for which an area education agency shall
33 be eligible is two hundred thousand dollars. The department
34 of management shall annually set a weighting for each area
35 education agency to generate the approved operational sharing

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- 1 expense using the area education agency's special education
- 2 cost per pupil amount and foundation level. Criteria for
- 3 determining the qualification of operational functions
- 4 for supplementary weighting shall be determined by the
- 5 department by rule, through consideration of increased student
- 6 opportunities.
- 7 e. This subsection is repealed effective July 1, ~~2020~~ 2025.
- 8 Sec. __.EFFECTIVE DATE. This Act, being deemed of
- 9 immediate importance, takes effect upon enactment.
- 10 Sec. __.APPLICABILITY. This Act applies to school budget
- 11 years beginning on or after July 1, 2018, subject to the school
- 12 budget year limitations of section 257.11, subsection 5.
- 13 3. Title page, line 2, after <for school districts> by
- 14 inserting <and including effective date and applicability
- 15 provisions>>
- 16 4. By renumbering as necessary.

SENATE AMENDMENT

RESOLUTIONS ADOPTED
(Not otherwise printed in the House Journal)

HOUSE RESOLUTION 104

BY M. SMITH, HAGENOW, SHEETS, STECKMAN, SALMON, OURTH, McKEAN, KEARNS, BACON, P. MILLER, SIECK, ANDERSON, R. TAYLOR, KACENA, HAGER, HUNTER, MAXWELL, MASCHER, HEARTSILL, THEDE, GASSMAN, KURTH, MOMMSEN, MEYER, WATTS, WESSEL-KROESCHELL, LUNGGREN, LENSING, BAUDLER, WINCKLER, HOLT, COHOON, KAUFMANN, T. TAYLOR, ROGERS, BEARINGER, DEYOE, BRECKENRIDGE, WORTHAN, OLDSON, LANDON, WOLFE, VANDER LINDEN, R. SMITH, WHEELER, NIELSEN, CARLSON, KRESSIG, BERGAN, JACOBY, STAED, FORBES, McCONKEY, BROWN-POWERS, OLSON, HEDDENS, PRICHARD, RUNNING-MARQUARDT, ABDUL-SAMAD, and FINKENAUER

1 A Resolution honoring and commemorating the city of
2 Buxton.
3 WHEREAS, in 1873, a new city was founded in Iowa by
4 Ben Buxton for the purpose of housing laborers to mine
5 coal for the Consolidated Coal Company; and
6 WHEREAS, the Consolidated Coal Company recruited
7 African American laborers from Iowa, Virginia,
8 Kentucky, and Tennessee; and
9 WHEREAS, in addition, the city also hosted white
10 laborers from Australia and across Europe; and
11 WHEREAS, the businesses and organizations of the
12 city of Buxton did not discriminate against any citizen
13 on the basis of race; and
14 WHEREAS, the people of the city of Buxton were
15 served by a number of prominent African American
16 professionals, including physician Dr. E.A. Carter and
17 co-founders of the National Bar Association George H.

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1 Woodson and Samuel Joe Brown; and
2 WHEREAS, the city of Buxton stood as a model of
3 cooperation and respect among people of diverse
4 heritages and backgrounds; and
5 WHEREAS, the last Buxton coal mine closed in 1927,
6 leading to the town's abandonment; NOW THEREFORE,
7 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
8 That the House of Representatives hereby honors and
9 commemorates the city of Buxton and encourages all
10 Iowans to recall the spirit of unity and harmony
11 embodied by the people of the city of Buxton.
12 BE IT FURTHER RESOLVED, That a copy of this
13 resolution be sent to the Monroe County Historical
14 Board.

H.R. 104 filed February 21, 2018; adopted February 22, 2018.

HOUSE RESOLUTION 105
BY HANUSA

1 A Resolution to recognize the Iowa Small Business
 2 Development Centers and honor 2018 award winners.
 3 WHEREAS, since 1981, the Iowa Small Business
 4 Development Centers have provided expert and
 5 confidential business counseling services and training
 6 workshops to entrepreneurs in all 99 Iowa counties; and
 7 WHEREAS, the Iowa Small Business Development Centers
 8 provide a wide variety of services to foster the growth
 9 of Iowa business, including one-to-one professional
 10 business counseling, learning opportunities,
 11 workshops, courses and classes, and a variety of other
 12 services; and
 13 WHEREAS, the Iowa Small Business Development Centers
 14 have announced the 2018 award winners for the centers'
 15 two special entrepreneur awards; and
 16 WHEREAS, Doreen Roy of Burlington, the owner of
 17 The Wholesome Basket, Gypsi, and Red Screen Door, is
 18 the 2018 Deb Dalziel Woman Entrepreneur Achievement
 19 Award winner, an award which honors an Iowa woman
 20 entrepreneur who has significantly changed or improved
 21 her life and the lives of others; and
 22 WHEREAS, Brad and Angie Barber of Clear Lake, the
 23 owners of Cabin Coffee, have received the 2018 Neal
 24 Smith Entrepreneur of the Year Award, an award named in
 25 honor of the long-serving Iowa congressman, given to an
 26 Iowa entrepreneur who has been in business a minimum of
 27 three years and has been significantly assisted by an
 28 Iowa Small Business Development Center; NOW THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 2 That the House of Representatives honors award winners
 3 Doreen Roy and Brad and Angie Barber, congratulates
 4 them on their success, and recognizes and expresses its
 5 thanks to the Iowa Small Business Development Centers
 6 for their ongoing work in making Iowa a better place
 7 to live and work.

H.R. 105 filed March 5, 2018; adopted March 8, 2018.

HOUSE RESOLUTION 107
BY KAUFMANN

1 A Resolution recognizing the Hoover Uncommon Public
 2 Service Award winner for 2018, Representative Dawn
 3 Pettengill.
 4 WHEREAS, Herbert Hoover was both a visionary and
 5 dedicated public servant and through his tireless
 6 efforts millions of lives were saved in the years after
 7 World War I; and

8 WHEREAS, to honor that spirit of public service the
 9 Herbert Hoover Presidential Library Association has
 10 created the Hoover Uncommon Public Service Award; and
 11 WHEREAS, the association annually presents
 12 the Hoover Uncommon Public Service Award to Iowa
 13 legislators who exemplify President Hoover's
 14 humanitarian efforts and have gone above and beyond
 15 the call of duty to demonstrate uncommon service and
 16 commitment to the people of Iowa; and
 17 WHEREAS, in 2018, the association awarded the
 18 12th annual Hoover Uncommon Public Service Award
 19 to Representative Dawn Pettengill of Mount Auburn,
 20 Iowa; and
 21 WHEREAS, Representative Pettengill has continually
 22 shown her commitment to the principles of the Hoover
 23 legacy by working tirelessly for the betterment of her
 24 community and the people of Iowa; and
 25 WHEREAS, Representative Pettengill has selflessly
 26 pursued justice and honesty for all Iowans; and
 27 WHEREAS, Representative Pettengill's dedication to
 28 public service, integrity, and excellence in community

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1 leadership has made her an inspiration to the people of
 2 Iowa; NOW THEREFORE,
 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 4 the House of Representatives expresses its gratitude
 5 to the Herbert Hoover Presidential Library Association
 6 for the creation of the Hoover Uncommon Public Service
 7 Award and congratulates Representative Pettengill on
 8 receiving the 2018 award.

H.R. 107 filed March 20, 2018; adopted March 20, 2018.

HOUSE RESOLUTION 108
 BY OURTH

1 A Resolution recognizing the life and work of musician
 2 and radio broadcaster Bob Dorr.
 3 WHEREAS, Bob Dorr is a renowned Iowa bandleader,
 4 musician, and radio show host whose career spans over
 5 40 years; and
 6 WHEREAS, Mr. Dorr began his career in music
 7 broadcasting on October 2, 1972, as an undergraduate
 8 student at the University of Northern Iowa and student
 9 broadcaster for the KUNI radio station; and
 10 WHEREAS, Mr. Dorr has been a bandleader for over
 11 40 years, with 36 years leading, singing, and playing
 12 multiple instruments in his beloved Blue Band, which
 13 has traversed the nation and recorded over 25 albums
 14 and has performed for 34 years at the Iowa State
 15 Fair; and

16 WHEREAS, Mr. Dorr has hosted radio shows on Iowa
 17 Public Radio spanning every genre from classical
 18 to rock and blues to folk, including shows such as
 19 Progression, Folkways 1, Folkways 2, and Collage, and
 20 is currently in his 8th year of hosting “Blue Avenue”,
 21 in his 40th year of hosting “Beatles Medley”, and in
 22 his 38th year of hosting the iconic “Backtracks”; and
 23 WHEREAS, Mr. Dorr was twice inducted into the Iowa
 24 Rock ‘n Roll Hall of Fame, first for his radio career
 25 in 2000, and then for his role as leader of the Blue
 26 Band in 2007, and was also inducted into the Iowa Blues
 27 Hall of Fame in 2005 and the Quad Cities Blues Hall of
 28 Fame on March 11, 2018; NOW THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 2 That the House of Representatives hereby recognizes
 3 musician and radio broadcaster Bob Dorr as an Iowa
 4 icon, extends its profound gratitude for his lifelong
 5 dedication to, and uncommon impact on, the cultural
 6 landscape and history of the State of Iowa, and exhorts
 7 the people of Iowa to always remember and appreciate
 8 his generous and prodigious contribution in the form of
 9 musical composition, live music performance, artistic
 10 entrepreneurship, and radio broadcasting.

H.R. 108 filed March 20, 2018; adopted March 26, 2018.

HOUSE RESOLUTION 109

BY NUNN, WATTS, DOLECHECK, ROGERS, McKEAN, FISHER, HOLZ, KRESSIG,
 SHEETS, MOORE, JONES, R. TAYLOR, DEYOE, GASSMAN, ZUMBACH,
 BRECKENRIDGE, ISENHART, GUSTAFSON, STAED, HOLT, OLSON, UPMEYER,
 JACOBY, SALMON, LANDON, SEXTON, OURTH, HUSEMAN, FRY, JACOBSEN,
 LUNDGREN, ABDUL-SAMAD, WHEELER, MEYER, HAGENOW, KOESTER,
 MOMMSEN, BACON, BERGAN, GASKILL, BEST, KURTH, and HIGHFILL

1 A Resolution to recognize and honor Officers Susan
 2 Farrell and Carlos Puente-Morales posthumously for
 3 their service to this state.
 4 WHEREAS, in the early hours of March 26, 2016,
 5 Des Moines Police Officers Susan Farrell and Carlos
 6 Puente-Morales died in a head-on collision with a drunk
 7 driver on Interstate 80 in Dallas County; and
 8 WHEREAS, Officers Farrell and Puente-Morales
 9 graduated from the Des Moines Police Academy on October
 10 2, 2015, and had served as police officers with the Des
 11 Moines Police Department for less than six months when
 12 they died in the line of duty; and
 13 WHEREAS, Officer Farrell, who was 30 years old at
 14 the time of her death, had worked for the Polk County
 15 Sheriff’s Office for several years before joining the
 16 Des Moines Police Department, and was the first female

17 officer in Iowa killed in the line of duty; and
 18 WHEREAS, Officer Puente-Morales, who was 34 years
 19 old at the time of his death, served in both Iraq and
 20 Afghanistan as a member of the Iowa National Guard, and
 21 had worked for the Franklin County Sheriff's Department
 22 and the Ottumwa Police Department for several years
 23 before joining the Des Moines Police Department; and
 24 WHEREAS, Officers Farrell and Puente-Morales
 25 dedicated their careers to public service and are
 26 remembered by their peers and their communities as
 27 models for what a good public servant should be; and
 28 WHEREAS, on February 13, 2018, the Dallas County

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1 Board of Supervisors passed a resolution in support of
 2 the designation of a memorial bridge, near the area of
 3 the accident site on Interstate 80, to honor the memory
 4 of Officers Farrell and Puente-Morales; NOW THEREFORE,
 5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 6 the House of Representatives rises to honor Officers
 7 Susan Farrell and Carlos Puente-Morales, who devoted
 8 their lives to protecting the public, for their service
 9 and sacrifice to the State of Iowa; and
 10 BE IT FURTHER RESOLVED, That copies of this
 11 Resolution be prepared for and transmitted to
 12 the families of Officers Susan Farrell and Carlos
 13 Puente-Morales.

H.R. 109 filed March 22, 2018; adopted March 27, 2018.

HOUSE RESOLUTION 110
 BY GAINES and OLSON

1 A Resolution congratulating the Grand View University
 2 Vikings wrestling team on winning the National
 3 Association of Intercollegiate Athletics Wrestling
 4 National Championship for the seventh consecutive
 5 year.
 6 WHEREAS, on March 3, 2018, the Grand View Vikings
 7 wrestling team won the National Association of
 8 Intercollegiate Athletics (NAIA) Wrestling National
 9 Championship for the seventh consecutive year, becoming
 10 the first team in NAIA wrestling history to win seven
 11 consecutive national titles; and
 12 WHEREAS, the Vikings are only the fourth program in
 13 collegiate wrestling history to win seven consecutive
 14 national titles; and
 15 WHEREAS, the Vikings finished with a total score
 16 of 171.5 team points, a full 64.5 points ahead of the
 17 second place team; and
 18 WHEREAS, three Viking wrestlers were crowned
 19 national champions in 10 possible weight classes,

20 including Grant Henderson at 165 pounds, Evan Hansen at
 21 197 pounds, and Dean Broghammer at 285 pounds; and
 22 WHEREAS, 10 of the Vikings' qualifiers earned
 23 All-American status and finished in seventh place or
 24 better on the podium; and
 25 WHEREAS, Coach Nick Mitchell was named NAIA National
 26 Coach of the Year in 2012, 2014, 2015, and 2016, in
 27 addition to being named Regional Coach of the Year
 28 seven times; NOW THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 2 That the House of Representatives congratulates
 3 Coach Mitchell and all the members of the Grand View
 4 University Vikings wrestling team on winning the
 5 National Association of Intercollegiate Athletics
 6 Wrestling National Championship for the seventh
 7 consecutive year.

H.R. 110 filed March 28, 2018; adopted April 3, 2018.

HOUSE RESOLUTION 111

BY JACOBY, MOORE, HIGHFILL, NIELSEN, LENSING, MASCHER, T. TAYLOR,
 KRESSIG, HEATON, BRECKENRIDGE, KACENA, OLSON, and KAUFMANN

1 A Resolution congratulating University of Iowa wrestler
 2 Spencer Lee on winning his first National Collegiate
 3 Athletic Association wrestling championship title
 4 at 125 pounds.
 5 WHEREAS, on March 17, 2018, University of Iowa
 6 wrestler Spencer Lee won the 2018 National Collegiate
 7 Athletic Association (NCAA) wrestling championship
 8 title at 125 pounds, defeating his opponent 5-1; and
 9 WHEREAS, Lee scored a total of 27 team points
 10 for Iowa at the 2018 NCAA wrestling championships,
 11 including seven from bonus results, and was one of five
 12 Hawkeye wrestlers to earn All-American status; and
 13 WHEREAS, Lee, a freshman at the University of Iowa,
 14 became Iowa's first true freshman national champion
 15 since 1993; and
 16 WHEREAS, Lee's championship title win was the
 17 culmination of an incredible comeback season at Iowa
 18 with a 22-2 overall record, having started the season
 19 recovering from knee surgery and competing for the
 20 first time in December; and
 21 WHEREAS, Lee was named the 2018 Big Ten Freshman of
 22 the Year, the winner of the Iowa wrestling program's
 23 2018 Mike Howard Most Valuable Wrestler Award, and
 24 the winner of Amateur Wrestling News' 2018 Hammer
 25 Award; and
 26 WHEREAS, among his many athletic achievements prior

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1 to becoming a Hawkeye wrestler, Lee was a three-time
2 Pennsylvania state champion, a two-time junior world
3 champion, and a one-time cadet world champion; NOW
4 THEREFORE,
5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
6 the House of Representatives congratulates Spencer
7 Lee on winning his first National Collegiate Athletic
8 Association wrestling championship title.

H.R. 111 filed April 5, 2018; adopted April 11, 2018.

HOUSE RESOLUTION 112

BY JONES, DOLECHECK, PETTENGILL, WORTHAN, WINCKLER, UPMAYER,
HAGENOW, OURTH, STAED, McCONKEY, STECKMAN, FRY, FISHER, BERGAN,
HEATON, KRESSIG, GASKILL, NUNN, GASSMAN, MOORE, NIELSEN, McKEAN,
and GUSTAFSON

1 A Resolution celebrating and recognizing the many
2 accomplishments of Dr. Peggy Whitson.
3 WHEREAS, Peggy Annette Whitson, who was born in
4 Mount Ayr, Iowa, and grew up on a family farm near
5 Beaconsfield, was initially inspired to be a space
6 explorer at the age of nine watching Neil Armstrong and
7 Buzz Aldrin take their first steps on the moon; and
8 WHEREAS, following high school, Dr. Whitson designed
9 her education goals to be consistent with a career
10 at the National Aeronautics and Space Administration
11 (NASA), by receiving her bachelor of science degree in
12 biology and chemistry from Iowa Wesleyan College in
13 1981, and by receiving her doctorate in biochemistry
14 from Rice University in 1985; and
15 WHEREAS, after persistently applying for the
16 astronaut program five times over the course of
17 10 years, Dr. Whitson was selected as an astronaut
18 candidate in 1996; and
19 WHEREAS, Dr. Whitson first flew into space on June
20 5, 2002, as a flight engineer for Expedition 5, and
21 subsequently was a member of the Expedition 16 crew
22 that launched on October 10, 2007; and
23 WHEREAS, when Dr. Whitson's most recent mission
24 as a member of Expedition 50/51/52 ended in September

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1 2017, she had spent over 289 days in orbit, and had
2 cumulatively spent over 665 days during her three
3 missions aboard the International Space Station,
4 more time living and working in space than any
5 other American or any woman worldwide, earning her
6 the nickname "Space Ninja" and the Twitter handle
7 "@AstroPeggy"; and

8 WHEREAS, Dr. Whitson has broken many barriers, set
 9 many other records, earned accolades too numerous to
 10 mention, and been a role model, encouraging audiences,
 11 like the girls and young women from the Lower East Side
 12 Girls Club and other nonprofit groups in attendance
 13 when she was named one of Glamour's Women of the Year
 14 in 2017, to find their passion and achieve their goals;

15 NOW THEREFORE,
 16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 17 the House of Representatives congratulates Dr. Peggy
 18 Whitson on her remarkable lifetime of accomplishments;
 19 commends Dr. Whitson for her outstanding contributions
 20 to the advancement of international cooperation and
 21 for exemplifying that successful endeavors require the
 22 teamwork of those with diverse skills and backgrounds
 23 as well as relationships built on mutual trust and
 24 respect, whether on the International Space Station
 25 or on Earth; and thanks Dr. Whitson for steadfastly
 26 promoting interest in STEM and inspiring both girls,
 27 and boys, no matter the size of their hometown, to
 28 dream big, work hard, and reach for the (moon and)
 29 stars.

H.R. 112 filed April 5, 2018; adopted April 12, 2018.

HOUSE RESOLUTION 113

BY FRY, DOLECHECK, MOORE, OURTH, T. TAYLOR, and M. SMITH

1 A Resolution recognizing Graceland University
 2 and congratulating its men's basketball team
 3 for its outstanding 2017-2018 season, which it
 4 finished dramatically by winning the 2018 National
 5 Association of Intercollegiate Athletics 81st Annual
 6 Division I Men's Basketball Championship.
 7 WHEREAS, Graceland University, founded in 1895, and
 8 having its main campus in Lamoni, offers more than 50
 9 academic programs with a mission to create learning
 10 communities where students develop their potential for
 11 meaningful and productive lives; and
 12 WHEREAS, under the leadership of coach Craig Doty,
 13 in his second season at Graceland, the Yellowjackets
 14 men's basketball team finished with an overall record
 15 of 29 wins and 10 losses; and
 16 WHEREAS, the prestigious National Association of
 17 Intercollegiate Athletics Men's Basketball National
 18 Championship, established by James Naismith, has held
 19 an annual men's basketball championship since 1937; and
 20 WHEREAS, the 2018 National Association of
 21 Intercollegiate Athletics 81st Annual Division I Men's
 22 Basketball Championship was held in Kansas City; and
 23 WHEREAS, on Tuesday night, March 20, 2018, the
 24 Yellowjackets' historic season came to a dramatic
 25 conclusion when the final shot as time expired ended in

26 the team's 83-80 overtime victory over Louisiana State
27 University-Alexandria in the championship game; NOW
28 THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 That the House of Representatives recognizes Graceland
3 University and congratulates its men's basketball
4 team, including players and staff, for the outstanding
5 2017-2018 season finished by winning the 2018 National
6 Association of Intercollegiate Athletics 81st Annual
7 Division I Men's Basketball Championship; and
8 BE IT FURTHER RESOLVED, That, upon adoption, the
9 Chief Clerk of the House of Representatives shall
10 prepare an official copy of this Resolution for
11 presentation to coach Craig Doty.

H.R. 113 filed April 10, 2018; adopted April 11, 2018.

SENATE CONCURRENT RESOLUTION 102
BY RULES AND ADMINISTRATION

1 A Concurrent Resolution to provide for adjournment
2 sine die.
3 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
4 REPRESENTATIVES CONCURRING, That when adjournment
5 is had on Saturday, May 5, 2018, it shall be the
6 final adjournment of the 2018 Regular Session of the
7 Eighty-seventh General Assembly.

S.C.R. 102 filed May 5, 2018; adopted May 5, 2018.

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Amendments filed—288, 329, 633, 750, 973
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FRY, JOEL—Representative

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HOUSE REFUSED TO CONCUR—

House File 2230, H-8007-236

HUNTER, BRUCE L.—Representative

Amendments filed—288, 353, 427, 431, 517, 518, 600, 633, 882, 929, 973

Amendments offered—323, 419, 524, 525, 529, 531, 532, 613, 639, 642, 644, 850, 860, 918, 919, 959
 Committee appointments/revisions—6, 7, 8, 23, 24, 25, 30
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HUSEMAN, DANIEL A.—Representative

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 Amendments offered—924
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 Committee appointments/revisions—21, 22, 24, 25, 30
 Explanation of vote—548
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 Point of order—872
 Resolutions filed—121, 672, 804, 904, 973
 Sponsor added—617
 Subcommittee assignments—150, 181, 430, 588

JACOBSEN, JON A.—Representative

Amendments filed—395
 Committee appointments/revisions—7, 11, 22, 23, 24, 30
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 Resolutions filed—578, 672, 993

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JACOBY, DAVE—Representative

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Resolutions filed—121, 352, 672, 754, 903, 904, 973
Sponsor added—617
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Amendments offered—312, 403, 764
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Resolutions filed—672, 754, 993
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KACENA, TIMOTHY—Representative

Amendments filed—461, 633
Committee appointments/revisions—6, 7, 21, 22, 23, 24, 25, 31
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Resolutions filed—352, 754, 903, 904, 973
Sponsor added—148, 228, 617
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KAUFMANN, BOBBY—Representative

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Amendments offered—318, 584, 807, 908
Committee appointments/revisions—22, 23, 24, 31
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Resolutions filed—352, 754, 993
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KEARNS, JERRY A.—Representative

Amendments filed—633, 882, 892

Amendments offered—867, 889

Committee appointments/revisions—21, 22, 23, 24, 25, 31

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Resolutions filed—352, 903, 904, 973

Sponsor added—148, 228, 617

Study bill subcommittee assignments—171, 218, 351

Subcommittee assignments—111, 149, 150, 181, 272, 430

KERR, DAVID—Representative

Committee appointments/revisions—21, 22, 23, 24, 25, 31

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Presided—250

Resolutions filed—993

Study bill subcommittee assignments—105, 112, 142, 241, 242

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KLEIN, JARAD J.—Representative, Assistant Majority Leader

Amendments filed—461, 690, 804, 823

Amendments offered—503, 817, 821

Committee appointments/revisions—21, 22, 23, 24, 31

Committee to notify/escort—72

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Resolutions filed—993

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KOESTER, KEVIN—Representative

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Amendments offered—463, 483, 484, 545, 638, 766

Committee appointments/revisions—22, 23, 24, 31

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Resolutions filed—672, 789, 993

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KRESSIG, BOB—Representative

Amendments filed—461, 633, 722, 882, 951

Amendments offered—847

Committee appointments/revisions—22, 23, 24, 25, 32

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Resolutions filed—121, 352, 672, 903, 904, 973
Sponsor added—148, 228, 617
Study bill subcommittee assignments—105, 112, 142, 151, 194
Subcommittee assignments—150, 217, 430, 549, 632

LANDON, JOHN—Representative

Amendments filed—308, 461, 617, 632, 929
Amendments offered—466, 476, 650, 916, 921
Committee appointments/revisions—21, 22, 23, 24, 25, 32
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LENSING, VICKI S.—Representative

Amendments filed—633, 951, 973
Committee appointments/revisions—22, 23, 24, 32
Introduction of bills—114, 133, 136, 137, 146, 147, 166, 167, 168, 175, 186, 189, 197,
198, 200, 235, 236, 246, 257, 259, 271, 289
Resolutions filed—121, 352, 754, 903, 904, 973
Sponsor added—148, 227, 617
Study bill subcommittee assignments—97, 121, 155, 163, 193, 218, 231, 442
Subcommittee assignments—84, 104, 111, 150, 163, 181, 191, 193, 217, 240, 262,
372, 515, 552, 568, 577

LUNDGREN, SHANNON—Representative

Amendments filed—373, 395, 892
Amendments offered—381, 404, 894, 896
Committee appointments/revisions—22, 23, 25, 32
Committee to notify/escort—57
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- Amendments offered—415, 416, 417, 418, 419, 421, 500, 521, 527, 530, 609, 611, 640, 661, 662, 664, 665, 861, 870
- Committee appointments/revisions—22, 23, 24, 25, 32
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- Resolutions filed—352, 754, 903, 904
- Sponsor added—228, 617
- Study bill subcommittee assignments—120, 131, 142, 163, 219, 241, 262
- Subcommittee assignments—130, 141, 154, 193, 217, 240, 549

MAXWELL, DAVE—Representative

- Amendments filed—233, 308, 329, 517, 691
- Amendments offered—773
- Committee appointments/revisions—21, 23, 24, 25, 32
- Explanation of vote—631
- Introduction of bills—114, 166, 175, 199, 201, 259, 336
- Leave of absence—459, 615
- Resolutions filed—352, 993
- Sponsor added—252
- Study bill subcommittee assignments—119, 142, 143, 254
- Subcommittee assignments—104, 111, 149, 170, 181, 217, 230, 272, 372, 430, 549

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- Amendments offered—464, 743
- Committee appointments/revisions—22, 23, 24, 25, 33
- Introduction of bills—147, 167, 175, 186, 189, 197, 198, 200, 207, 257, 271, 278, 289
- Resolutions filed—121, 352, 754, 903, 904, 973
- Sponsor added—228, 617
- Study bill subcommittee assignments—106, 130, 172, 272
- Subcommittee assignments—104, 111, 170, 430, 577, 588, 781, 902

McKEAN, ANDY—Representative

- Amendments filed—395, 431, 461, 679, 722, 750, 838, 904, 950, 951
- Amendments offered—398, 452, 496, 740, 796
- Committee appointments/revisions—22, 23, 25, 33
- Introduction of bills—70, 99, 152, 168, 175, 186, 198, 214, 256, 336
- Presided—234
- Resolutions filed—352, 672, 754, 993
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- Amendments filed—164, 308, 431, 489, 518
- Amendments offered—319, 465
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- Committee to notify/escort—73
- Introduction of bills—72, 114, 133, 136, 137, 138, 139, 146, 165, 167, 186, 208, 246, 257, 259, 271
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- Subcommittee assignments—84, 181, 192, 426, 515, 552, 577

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- Amendments filed—633
- Committee appointments/revisions—21, 22, 23, 24, 33
- Committee to notify/escort—73
- Introduction of bills—133, 147, 167, 259, 271
- Leave of absence—307, 326, 351, 748, 837, 928, 971, 986
- Presided—788
- Resolutions filed—121, 903, 904, 973
- Sponsor added—228, 617
- Study bill subcommittee assignments—171
- Subcommittee assignments—130, 170, 230, 253

MILLER, PHIL—Representative

- Amendments filed—633
- Committee appointments/revisions—7, 8, 21, 22, 24, 25, 33
- Committee to notify/escort—57
- Introduction of bills—207, 271
- Resolutions filed—352, 903, 973
- Sponsor added—617
- Study bill subcommittee assignments—98, 230
- Subcommittee assignments—103, 141, 149, 154, 163, 394, 549

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- Amendments filed—308
- Committee appointments/revisions—22, 24, 25, 33
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- Presided—222
- Resolutions filed—993
- Study bill subcommittee assignments—120, 130, 143, 182, 902
- Subcommittee assignments—97, 111, 150, 181, 230, 690, 710, 769, 781

MOMMSEN, NORLIN—Representative

- Amendments filed—804, 838
- Amendments offered—830
- Committee appointments/revisions—21, 22, 23, 25, 33
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- Point of order—834, 899
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- Resolutions filed—352, 672, 993
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MOORE, TOM—Representative

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- Amendments offered—470, 474, 475, 560, 561
- Committee appointments/revisions—22, 23, 24, 25, 33
- Committee to notify/escort—55
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- Reports—56
- Resolutions filed—672, 754, 770, 993
- Study bill subcommittee assignments—111, 130, 131, 142, 218, 230, 241, 272
- Subcommittee assignments—104, 105, 141, 142, 191, 192, 193, 240, 394, 430, 549

NIELSEN, AMY—Representative

- Amendments filed—288, 395, 517, 552, 591, 633, 761, 951
- Amendments offered—667
- Committee appointments/revisions—6, 7, 22, 23, 25, 34
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- Explanation of vote—972
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- Resolutions filed—352, 754, 804, 903, 904, 973
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Amendments offered—856, 877
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Sponsor added—228, 328
Study bill subcommittee assignments—97, 155, 172, 194, 230
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OLSON, RICK—Representative

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Amendments offered—503, 559, 683, 736, 888
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Sponsor added—228, 617
Study bill subcommittee assignments—97, 120, 142, 193, 194, 219, 230, 241, 254
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OURTH, SCOTT—Representative

Amendments filed—518, 633, 838, 882
Amendments offered—528, 833, 854
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Committee to notify/escort—11
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Amendments offered—816, 843
Committee appointments/revisions—21, 22, 23, 25, 35
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Amendments filed—353, 517, 568, 654

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Committee to notify/escort—72

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Committee appointments/revisions—23, 24, 25, 35

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Leave of absence—971

Resolutions filed—352, 672, 993

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Amendments filed—375, 552, 633, 973

Amendments offered—965

Committee appointments/revisions—21, 35

Introduction of bills—109, 167, 246, 271

Point of order—471, 532, 608, 642, 730, 899

Remarks—15, 987

Resolutions filed—12, 13, 352, 770, 903, 904, 973, 993

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Sponsor added—228, 617

SMITH, RAS—Representative

Amendments filed—288, 372, 395, 427, 633, 882, 951

Amendments offered—419, 470, 867

Committee appointments/revisions—7, 22, 23, 24, 25, 35

Introduction of bills—114, 133, 146, 166, 167, 175, 186, 189, 197, 200, 257, 271, 289

Leave of absence—671, 837

Point of order—470

Resolutions filed—121, 352, 904, 973

Sponsor added—228, 617

Study bill subcommittee assignments—98, 106, 120, 151, 194, 218, 230, 241, 254, 262

Subcommittee assignments—97, 104, 130, 154, 191, 193, 217, 240, 261, 426, 460, 515

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STAED, ART—Representative

Amendments filed—288, 329, 353, 395, 427, 431, 443, 461, 617, 633, 882

Amendments offered—412, 643, 877

Committee appointments/revisions—6, 22, 23, 24, 25, 36

Committee to notify/escort—56

Introduction of bills—69, 108, 114, 133, 136, 137, 139, 146, 147, 165, 166, 167, 168, 175, 176, 186, 189, 197, 198, 200, 207, 208, 213, 236, 246, 257, 259, 271, 289

Point of order—730

Resolutions filed—120, 352, 578, 672, 754, 804, 903, 904, 973

Sponsor added—109, 128, 228, 280, 617

Study bill subcommittee assignments—111, 143

Subcommittee assignments—129, 150, 192, 254, 394

STECKMAN, SHARON S.—Representative

Amendments filed—221, 288, 448, 568, 633, 673, 782, 838, 882

Amendments offered—223, 482, 776, 834, 851, 871

Committee appointments/revisions—22, 23, 24, 25, 36

Explanation of vote—328

Introduction of bills—69, 133, 136, 137, 139, 146, 147, 167, 175, 186, 189, 199, 207, 235, 236, 257, 259, 270, 271, 279, 289

Leave of absence—971

Resolutions filed—121, 228, 352, 754, 903, 904, 973

Sponsor added—148, 617

Study bill subcommittee assignments—171, 172, 182, 230, 231, 241, 242, 272
Subcommittee assignments—105, 150, 155, 163, 171, 281, 514, 568, 589

TAYLOR, ROB—Representative

Committee appointments/revisions—21, 22, 23, 24, 25, 36
Explanation of vote—425, 429
Introduction of bills—159, 213, 214, 226, 235, 260
Leave of absence—393, 425, 441, 459, 548, 567, 779
Resolutions filed—352, 672, 789, 993
Study bill subcommittee assignments—98, 111, 143, 219, 262, 672
Subcommittee assignments—240, 253, 372

TAYLOR, TODD E.—Representative

Amendments filed—632, 633, 929
Amendments offered—626, 917
Committee appointments/revisions—7, 8, 21, 23, 24, 25, 36
Committee to notify/escort—86
Introduction of bills—69, 136, 137, 138, 146, 147, 166, 167, 176, 186, 189, 197, 198, 200,
207, 208, 236, 246, 257, 259, 271, 289
Presided—757
Resolutions filed—352, 578, 754, 770, 903, 904, 973
Sponsor added—228, 617
Study bill subcommittee assignments—171, 194, 254, 672
Subcommittee assignments—104, 142, 150, 430, 589

THEDE, PHYLLIS—Representative

Amendments filed—518, 617, 633, 951
Committee appointments/revisions—21, 22, 23, 36
Introduction of bills—114, 133, 137, 176, 271
Leave of absence—238
Reports—9, 10, 126
Resolutions filed—352, 903, 904, 973
Sponsor added—617
Study bill subcommittee assignments—105, 218, 254, 442
Subcommittee assignments—129

UPMEYER, LINDA L.—Representative, Speaker of the House

Committee appointments/revisions—21, 36
Leave of absence—881
Remarks—17, 991
Resolutions filed—12, 13, 672, 754, 993
Rulings—412, 413, 414, 610, 611, 612, 613, 726, 728, 895, 896, 899
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VANDER LINDEN, GUY—Representative

Amendments filed—329, 395, 568, 654, 951, 974
Amendments offered—380, 984
Committee appointments/revisions—22, 24, 36, 995
Introduction of bills—138, 336
Leave of absence—371, 512
Presided—158
Resolutions filed—352, 993

Study bill subcommittee assignments—143
Subcommittee assignments—111, 130, 150, 272, 307, 430, 588, 631

WATTS, RALPH C.—Representative

Amendments filed—395, 443, 734, 838
Amendments offered—872
Committee appointments/revisions—22, 23, 24, 36
Introduction of bills—108, 109, 114, 148, 176, 177, 198, 259
Leave of absence—720, 986
Point of order—870, 900
Presided—471
Resolutions filed—144, 352, 672, 789, 993
Rulings—472
Study bill subcommittee assignments—121, 130, 142, 171, 172, 231
Subcommittee assignments—141, 142, 155, 181, 240, 589

WESSEL-KROESCHELL, BETH—Representative

Amendments filed—395, 427, 517, 518, 632, 633, 951, 973
Amendments offered—410, 895, 958, 965
Committee appointments/revisions—23, 24, 25, 36
Introduction of bills—114, 120, 167, 175, 186, 189, 197, 198, 200, 207, 208, 257, 271
Leave of absence—371
Point of order—896
Resolutions filed—121, 352, 903, 904, 973
Sponsor added—617
Study bill subcommittee assignments—97, 105, 120, 193, 194, 219, 241, 242
Subcommittee assignments—104, 192, 217, 261, 549, 576

WHEELER, SKYLER—Representative

Amendments filed—395, 489, 517
Amendments offered—507, 660
Committee appointments/revisions—22, 23, 24, 25, 37
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Point of order—639, 641, 642, 645, 661, 662, 728
Reports—9, 10, 126
Resolutions filed—352, 672, 993
Special presentation—John Kooiker—554, Orange City Tulip Queen and court—680
Study bill subcommittee assignments—142, 230, 241
Subcommittee assignments—104, 105, 141, 142, 154, 155, 181, 192, 240, 254, 394, 430, 460, 549

WILLS, JOHN H.—Representative, Assistant Majority Leader

Committee appointments/revisions—21, 22, 23, 24, 37
Committee to notify/escort—88
Introduction of bills—70, 86, 109, 114, 176, 187, 198, 213, 336
Point of order—390, 471, 608, 855, 911
Presided—152, 165, 225, 256, 334, 350, 429, 592, 614, 623, 674, 814
Resolutions filed—993
Rulings—344, 614
Special presentation—Mike May—699
Study bill subcommittee assignments—106, 120, 130, 172, 219, 230, 241
Subcommittee assignments—97, 105, 163, 181, 230, 329, 372, 515, 549

WINCKLER, CINDY—Representative

Amendments filed—288, 308, 353, 372, 375, 395, 427, 518, 617, 633, 951
 Amendments offered—300, 362, 412, 417, 420, 523, 525, 639, 664, 945, 946, 947
 Committee appointments/revisions—21, 22, 24, 25, 37
 Explanation of vote—732, 788
 Introduction of bills—69, 133, 136, 137, 145, 146, 147, 166, 167, 168, 175, 186, 189, 197,
 198, 200, 207, 235, 246, 257, 259, 271, 289
 Leave of absence—720, 761, 767, 779
 Resolutions filed—121, 352, 754, 903, 904, 973
 Sponsor added—148, 227, 617
 Study bill subcommittee assignments—121, 143, 672
 Subcommittee assignments—104, 162, 217, 241, 253, 394, 427

WINDSCHITL, MATT W.—Representative, Speaker Pro Tempore

Amendments filed—395
 Amendments offered—565
 Committee appointments/revisions—21, 22, 23, 24, 37, 161, 209
 Introduction of bills—167, 222
 Point of order—412, 609, 611, 612
 Presided—127, 222, 296, 323, 356, 376, 415, 436, 449, 463, 470, 473, 478, 494, 509,
 521, 534, 554, 570, 579, 585, 624, 634, 640, 642, 656, 680, 681, 693, 713, 728, 735,
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 Resolutions filed—993
 Rulings—323, 361, 363, 365, 366, 367, 381, 389, 390, 415, 417, 419, 470, 500, 502,
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 Study bill subcommittee assignments—97, 120, 308, 442
 Subcommittee assignments—103, 111, 129, 130, 150, 181, 192, 217, 261, 272, 307, 430,
 577, 588, 631, 781

WOLFE, MARY LYNN—Representative

Amendments filed—308, 431, 488, 599, 600, 617, 633, 690, 750, 882
 Amendments offered—315, 608, 737, 742, 864
 Committee appointments/revisions—21, 22, 23, 24, 37
 Introduction of bills—125, 136, 147, 148, 166, 167, 168, 175, 189, 213, 214, 235, 257, 271, 618
 Leave of absence—813
 Resolutions filed—352, 903, 904, 973
 Sponsor added—148, 228
 Study bill subcommittee assignments—106, 182, 193, 218, 219, 262, 272, 442
 Subcommittee assignments—84, 105, 111, 129, 150, 216, 217, 240, 426, 488, 552,
 589, 721, 769, 781

WORTHAN, GARY—Representative

Amendments filed—329, 373, 395, 461, 679, 892, 951
 Amendments offered—683, 886, 888, 938
 Committee appointments/revisions—21, 23, 24, 25, 37
 Committee to notify/escort—86
 Introduction of bills—139, 336
 Reports—87

Resolutions filed—352, 754, 993
Study bill subcommittee assignments—120, 142, 193, 194, 230, 769
Subcommittee assignments—97, 155, 191, 192, 588

ZUMBACH, LOUIE—Representative

Amendments filed—461, 750
Amendments offered—469
Committee appointments/revisions—21, 23, 24, 25, 37
Committee to notify/escort—73
Introduction of bills—114, 175, 259
Leave of absence—823, 928
Point of order—389
Presided—762
Resolutions filed—578, 672, 993
Study bill subcommittee assignments—121, 194, 231, 241
Subcommittee assignments—105, 130, 141, 170, 261, 430, 549